

E R R A T A.

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| 40, | 4, after <i>Tea</i> , put a Colon. |
| Ibid. | 6, for <i>so</i> , read to. |
| 43, | 4, for <i>they</i> , read <i>the</i> . |
| 75, | 26, for <i>Oginion</i> , read <i>Opinion</i> . |
| 84, | 23, for <i>expected</i> , read <i>excepted</i> . |
| 137, | 22, dele, <i>which</i> . |
| 141, | 21, after <i>is</i> , add <i>given</i> : |
| 180, | 16, for <i>then</i> , read <i>than</i> . |
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| 216, | 14, for <i>of</i> , read <i>in</i> . |
| 220, | 20, for <i>Treasure</i> , read <i>Treason</i> . |
| 232, | 16, for <i>Presences</i> , read <i>Presence</i> . |
| Ibid. | 20, for <i>Mylrea</i> , read <i>Mycree</i> . |
| 256, | 18, for <i>Mylrea</i> , read <i>Mycree</i> . |
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H. Janssen (for S. J.)
SMUGGLING

L A I D O P E N,

In all its Extensive and Destructive
BRANCHES;

With PROPOSALS for the effectual Remedy of
that most iniquitous PRACTICE:

C O M P R E H E N D I N G

Among other PARTICULARS, the Parliamentary Evidence of some of the most notorious SMUGGLERS; and a large Sheet, shewing in one view, the whole state of the Tea Importation, Consumption and Revenue, from Midsummer 1745, (when the reduction of Two Shillings per Potund, took place) to new Christmas 1763.

By Sir Stephen Theodore Janssen, Bart.

L O N D O N,

Printed for W. OWEN, Bookseller, near Temple-Bar, and W. NICOLL, in St. Paul's Church-Yard. 1763.

SMITHSONIAN

PAID OFF

In the British and Foreign

BRANCH

of the Smithsonian Institution

of the United States of America

and the British Museum

of Natural History

of London

and the British Museum

of Natural History

of London

and the British Museum

of Natural History

of London

and the British Museum

of Natural History

of London

and the British Museum

of Natural History

of London





DEDICATION.

T O

The Right Honourable
CHARLES TOWNSHEND,

First Lord of **TRADE** and **PLAN-**
TATIONS.

S I R,

THE enormity of the National Debt; the absolute necessity of immediately reducing it; and the Methods of doing it with certainty; are become Objects of the most interesting Consideration.

View-

DEDICATION.

VIEWING this Subject in the great light it deserves; and imagining that the Publication of the following Sheets, might be of some use towards accomplishing so desirable an End: I soon resolv'd to inscribe them (SIR) to you, from the just Idea I entertain of your great Abilities; knowing that Discernment, Diligence, and Spirit, are inseparable in all you undertake; and that what wou'd prove laborious to another, is to you rather an Amusement: I should not otherwise, have presumed to point out so arduous a Task; although your pursuing it will, very probably, produce a considerable Addition to the foundation already laid, for *sinking* the Debt.

PERMIT me to add another Motive for this Address; the gratifying your laudable

DEDICATION.

dable Ambition to do good. For if this Treatise should suggest, how the Revenue may be improved; Merchants and Traders put upon a fair and equal footing; Thousands of public Robbers reclaimed from their dangerous Practices, and rendered useful Members of the Community; I am confident you will be indefatigable in your endeavours to procure these solid Advantages for your Country.

WITH regard to myself; I shall esteem it Honour sufficient, to have served the Public, by putting these valuable Papers into such able Hands.

I am with great Respect,

S I R,

*Your most Humble and most
Obedient Servant,*

STEPH. THEOD. JANSSEN.

DEDICATION

able Ambition to do good, for it is
Treason should I say, how the Re-
and may be improved; Merchants and
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and enrolled useful Members of the
Community; I am confident you will
be instrumental in your endeavours to
procure these total Advantages for your

Country.

My own regard to myself; I shall esteem
it my duty to have served the
Country by promoting these valuable Projects.

Yours truly
J. J. J.

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- I. *TWO Reports (never before printed) dated 24 March, 1745, and 23 June, 1746, made to the Honourable House of Commons, by the Committee appointed to enquire into the Causes of the most infamous Practice of Smuggling, &c.*
- II. *Genuine and interesting Letters, to the Right Honourable the Lords of the Treasury, and to the Honourable the Commissioners of the Customs, concerning the infamous Practices of Smuggling, carried on, and outrages committed, in the Isle of Man; with a Proposal for remedying the same.*
- III. *The late Admiral Smith's Proposal, for employing Two Thousand and Sixty, Sea-Officers and Men, in Sixty Vessels, to be stationed on the Coasts of Great-Britain and Ireland; to*
pre-

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prevent the Running Goods, off and on the said Coasts: with an Appendix by way of Notes.

IV. *A large Sheet, showing in one View, the State of the Tea Trade, for some years before the Act pass'd for the Reduction of the Excise upon that article, which took place at Midsummer 1745; with the State of the increas'd Importations and Revenue, from that Period to Christmas last.*

PRE-

THE
P R E F A C E.

UPON the Rupture with Spain in 1739, it was clearly foreseen, that the insidious Practices of *France*, would necessarily involve us in a War likewise with that Power; wherefore it became an indispenfible confideration, what would be the moft effectual Methods to ftop thofe Channels, through which we were daily pouring in our Wealth among the People of that perfidious Nation; enriching them with our *Specie*, merely to purchafe fuperfluous Commodities; and, at the fame time, impoverifhing and weakning ourfelves, previous to a War which was upon the point of breaking out with them.

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The P R E F A C E.

THE British Parliament, impressed with a deep Sense of the mighty Evils resulting from this imprudent and baneful Intercourse, seized the earliest opportunity of putting a stop to it. They were sufficiently apprized, that this Nation paid annually to *France*, a prodigious Sum of Money for *French Cambric*; and that our *East-India Company*; out of their Stock then in hand, with what they could import; would be able to furnish a commodity equally fit for every purpose; and therefore very judiciously pass'd an Act in 1744, for *Prohibiting the wear of French Cambric*; and so general was the Sense of both Houses, at that juncture, for this Prohibition, that several Members declared in their Speeches, (doubtless in hopes that their Example would be universally followed) that they took it for granted, not a single Member of either House, would appear in *French Cambric* by that time twelve month. This Act, however, not answering effectually the purpose intended, other Acts have pass'd since to enforce the intention of the first; and these several Acts have, at last, compleated the
disuse

The P R E F A C E.

disuse of this pernicious Commodity among us ;
and that we may hope for ever.

But the Parliament did not stop here : For, the next Session, finding the Smuggling of Tea was got to so exorbitant a height, that the large Revenue, which ought to have arisen from it, was sinking daily ; and in danger of suffering a much greater diminution, unless a speedy Remedy were applied ; and being at the same time well informed, That *One Million and a Half of Pounds* weight of the Tea so Smuggled in upon us, (together with Brandy and other Goods) came from *France*, for all which we paid them our *ready money* ; They pass'd an Act, to commence at Midsummer 1745, for taking off one half (being Two Shillings per Pound) of the Excise upon that Article ; by which wise *Law*, the practice of Smuggling was found immediately to lessen ; and our *Specie* was consequently, in a great degree, preserv'd from being sent to *France*. Our *India Company* thereupon increased their Importation of Tea very considerably, and the Revenue increased with a most surprizing rapidity ;

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pidity ; * as will fully appear in a large and curious Sheet at the conclusion of this Treatise. It is computed there have been saved to the Nation, by these two Salutary Laws, not less than *Three Hundred Thousand Pounds* annually ; which exorbitant Sum had been sent in *Specie* from hence to *France*, before the *Prohibition of the wear of French Cambric* ; and the Check put to the Smuggling of *French Tea*.

The succeeding Session, The Parliament found, from Custom-House Accompts laid before them ; that Smuggling still continued to a much greater excess, than could have been suspected, when

* For some Years before the passing this Act, the Excise and Custom upon Tea (together) produced but little above *One Hundred and Seventy Thousand Pounds Sterling*, *Communibus Annis*. But so immense has been the increase of this Branch of the Revenue from that Period, that upwards of *Five Millions and a Half Sterling* have been paid into the Exchequer, more than would have been, if this Act had not passed : Whilst the East India Company has, on the other hand, increased her Importation of Tea, near *Fifty-Three Millions of Pounds weight*.

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The P R E F A C E.

the Act of the last Session passed. They were likewise sensible, that such * numerous and desperate Gangs of Men, so well mounted and so well armed, might greatly add to the disturbance ‡ already broke out in the kingdom. They knew that these Banditti carried the earliest Intelligence to *France*, into whose Ports they were freely admitted, although in the time of open War, and an open Rebellion; and they also knew they were hardy Sailors and skilfull Pilots. All these Circumstances were so very alarming, that a Committee was moved for, and appointed accordingly; *To inquire into the Causes of the most infamous Practice of Smuggling, &c.* which Committee made the two following Reports, that now appear in Print for the first time.

The Reader will find, in these Reports and the Papers annexed; an abundance of particulars, not only new, but useful and curious. He will see in what manner the Laws, for levying the Taxes and guarding against Frauds,

* See Page 7, to 11, of the first Report.

‡ The beginning of the Winter 1745, when the Rebels were in England.

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have been suffered for a long course of Years to be trampled upon, to the manifest detriment of the fair Trader; the very affecting diminution of the Revenue; and the utter disgrace of Government. He will see, with astonishment, those Laws violated by avowed and open Acts of Force. He will see too many Instances of the Infringement of those Laws, through the fraudulent connivance of those very Officers, who were appointed to secure the strict Observance of them. In a word, he will see the Revenue plundered, in so barefaced a manner, and in such a variety of shapes, that he will be struck with amazement, that Practices so opposite to all Principles of Government, and pregnant with Evils of such fatal Consequence, could have been permitted to reign so long. And, finally, he will discover, in the course of these Sheets, very probable methods propos'd, (if not very certain ones) for collecting the *Old Taxes*, in a due and regular manner; whereby the frequent Imposition of *New Ones*, so oppressive to our Manufactures, and so destructive to
our

The P R E F A C E.

our Trade, might have been spared; and the loss of some important Branches of our Commerce thereby prevented.



Jovis, 6 Die Februarii, 1745.

Ordered Nemine contradicente,

THAT a Committee be appointed to enquire into the Causes of the most infamous Practice of Smuggling, and consider of the most effectual Methods to prevent the said Practice, and to Report their Opinion therein to the House.

And a Committee was appointed accordingly; and all that come to the Committee, are to have Voices; and the Committee have Power to send for Persons, Papers and Records.

FIRST REPORT

From the COMMITTEE

Appointed to enquire into the Causes
of the most INFAMOUS PRACTICE
of SMUGGLING,

24th. of MARCH, 1745.

THE Committee appointed to enquire into the Causes of the most infamous Practice of Smuggling, and to consider of the most effectual methods to prevent the said Practice, and to report their Opinion thereon, to the House, having examined into some Causes of the said Practice, and considered of methods for preventing thereof; the Committee have directed the same to be reported to the House.

In Relation to the Causes of the said Practice,
the Evidence is as follows, *viz.*

The Commissioners of the Customs, and Excise, having severally laid before the Committee, Accounts of the Customs and Excise paid upon Teas imported from Midsummer 1742, to Christmas 1745.

It appeared that the 4 Shillings *per* Pound Excise, produced within the 3 Years, from Midsummer 1742 to Midsummer 1745, £. 449, 369, 7 s. 0 d. which upon an Average, amounts Yearly to the Sum of - - - £. 149, 789, 15 s. 8 d.

The Customs, within the same Period, amounted to £. 139, 078, 3 s. 6 d. which upon an Average produces Yearly the Sum of - - - £. 46, 359, 7 s. 10 d.

The whole Amount, upon a Medium each Year before Midsummer 1745, is - - - £. 196, 149, 3 s. 6 d.

From Midsummer 1745, (the time when the Act, made in the last Session relating to the Excise upon Tea, Commenced) to Michaelmas following.

The

The Excise of 1 Shilling *per* Pound upon Tea
 Produced - - - £. 38, 562, 4 s. 0 d.
 and the Duty of 25 *per* Cent, *ad Valorem*, - - £. 41, 025, 9 s. 2 d.

 Both amounting to - £. 79, 587, 13 s. 2 d.

From Michaelmas 1745,
 to Christmas following, the
 said Excise of 1 Shilling
per Pound, Produced,
 £. 20, 147, 10 s. 0 d.
 and the 25 *per* Cent, *ad*
Valorem 22, 399, 8 s. 3 d.
 both amounting to - £. 42, 546, 18 s. 3 d.
 The Customs, within this
 half Year, amounted to £. 44, 864, 13 s. 9 d.

 Total of this half Year, £. 166, 999, 5 s. 2 d.

From Christmas 1745, to the 17th. of Feb-
 ruary following, the said Excise of 1 Shilling
 Produced - - - £. 15, 333, 2 s. 0 d.
 and the 25 *per* Cent *ad Valorem* £. 16, 747, 3 s. 3 d.
 both amounting to - - £. 32, 080, 5 s. 3 d.
 so that, to the said Account of Excise, the Yearly
 quantity of Tea; for which was paid 4 Shillings
per Pound, within the 3 Years above mentioned;
 amounted upon an Average to 748, 948 Pounds
 Weight.

And

And the quantity, for which 1 Shilling per Cent was paid and 25 per Cent *ad Valorem*, within the quarter ending at Michaelmas 1745, amounted to 771, 244 Pounds Weight, and within the quarter ending at Christmas 1745, to 402, 950 Pounds Weight, and from Christmas 1745, to the 17th. of February following, to 306, 662 Pounds Weight.

Then the Committee Examined, STEPHEN THEODORE JANSSEN Esq; who said, that the Act for reducing the Excise upon Tea has, since the Commencement thereof; which was Midsummer last; lessened the Practice of Smuggling, with regard to that Commodity.

For, that the Accounts from the Custom-House and Excise-Office show, that the Tea, for which Customs and Excise have been paid since Midsummer last; is much more than double to what paid the Duty, in any of the like Periods of time preceding.

He said, he apprehended the great Quantity of Tea; which appears to have paid Duty in the first Quarter, after the Commencement of the present Act; was not all sold out by the Dealers within that time, but was bought by them, to replenish their Stocks, which had been exhausted by their having postpon'd such Buying, till after
the

the said Act took place; and is the Reason for the great Disproportion in the Produce of the Duty, within that and the succeeding Quarter: and, that it is much more probable, after the Dealers had so supplied themselves in those two Quarters, that the Tea they have taken out of the Company's Warehouses since Christmas last, is the Quantity which in reality has been disposed of for Consumption: which Quantity, from Christmas last, to the 17th. of February following (being 7 Weeks and 4 Days) appears by the Excise Account, to be 306, 662 Pounds Weight: so that, according to this Proportion, Duty will be paid, for upwards of 2000, 000 Pounds Weight of Tea, within the whole Year.

He said, that the Smugglers purchase their Goods with Wool and Money, carried from hence, and that the Money, so carried, he believes may amount to £. 200, 000 Annually; tho' not perhaps so much as usual this Year, by reason of Commodore Barne's making Prizes of the *French* Teas, in the East Indies.

That, besides the aforesaid Evil, another pernicious Consequence arises from this Practice. For, the Smugglers, being at this time admitted into the *French* Ports to carry on their illicit Trade, give our Enemys Information of the Situation of public Affairs. That, the Witness received

ceived advice by a Letter (now destroyed) that, the day after Admiral Martin sail'd last from *Plymouth*, a supposed Smuggling Vessel set sail for *St. Malo's* or *Brest*, and the Enemy probably knew immediately of the Sailing of that Fleet; and that he sent this Letter to one of the Lords of the Admiralty.

He further said, that he has made particular enquiry, and has been inform'd, that the Inhabitants in the *Isle* of *Man* (where no Customs are paid or Duties levied) carry on a constant Trade with *France*; even in time of War; that the *French* bring thither Teas, other East India Goods, and Brandies; which are deposited in Magazines, and conveyed from thence to *Liverpool* and other Ports in *England*, and to *Glasgow*, *Dumfries*, and other Ports in *Scotland*, as also into *Ireland*. That the *French* are paid, for those Goods, wholly in Specie carried from hence into the said *Isle*, and that upon the Arrival of a *Sweedish* or a *Danish* ship at *Gottenburgh* or *Copenhagen*, from India, Vessels loaded, from those Ports, with India Goods, bought entirely with our Specie, are also sent into the said *Isle*. By all which Practices, he said, he apprehended the Crown is defrauded of Duties to the amount of £. 100, 000, or £. 150, 000 per Annum.

That

That Sloops sometimes go out from *Liverpool*, to endeavour to prevent this Practice, but as it is a very dangerous Station, a Seizure is scarce ever heard of.

By accounts laid before the Committee from the Commissioners of the Customs, of Representations made by their Officers, relating to the Practice of Smuggling; the Instances of that Practice, since the Commencement of the Act made last Session, appear to be, as follows :

From *Cardigan*, in July 1745, the Surveyor General of South Wales acquainted the said Commissioners, that Smuggling is carried on to a great Height, between England and Ireland.

From *Yarmouth*, in August 1745, the Collector and Comptroller represented, that they had receiv'd Information, that on the 11th. of July preceding, Fifty Smugglers run a Cargo of Tea and Brandy, at Benacre in Suffolk; and on the 25th. of the same Month Sixty Smugglers landed another Cargo, at the same Place, and a Gang of 40 landed another Cargo, at Kessland Haven; and that on the 31st. of that Month, Seventy Smugglers pass'd through Benacre Street, with a large Quantity of Goods, having with them a Breast Cart with four Horses; and That Forty Smugglers, with Fifty Horses, landed at Kessland Haven

Haven a Cargo of Tea and Brandy, which they carried off.

From *Wells*, in October 1745, the Collector represented, that on the 18th. of that Month, about Two Miles Northward of Yarmouth, between Fifty and Sixty Horses were laden with Run Goods, and carried off by a Gang of armed Smugglers; From *Yarmouth*, the principal Officers give Account, That on the 22d. of October 112 Horses were laden on the Beach near Benacre, with dry Goods, by upwards of Ninety Men, guarded by Ten Persons with Fire Arms: And that on the 20th. of the same Month, Forty Horses were laden with dry Goods at Kertley, by Riders well armed.

From *Chichester*, it was represented, That in January 1745, Nine Smuggling Cutters sail'd from *Rye* in that Month for *Guernesey*, in order to take in large Quantities of Goods, to be run on the Coast, and that they had Intelligence, that one of the Cutters had landed her Cargo: From *Ipswich*, the Surveyor General informs the Commissioners, that he had receiv'd Accounts, that at different times, between the 30th. of June and 28th. of December, there had been Run on several parts of the *Suffolk* Coast, 1835 Horse Loads of Tea, with some other Goods; and 1689 Horse Loads of wet
and

and dry Goods, besides great quantities of wet and dry Goods landed out of several Vessels, all which were conveyed away in Waggon and other Carriages, and by great numbers of Smugglers loaded. With regard to the first of these Representations, the said Commissioners order'd a Vessel to cruise on the Coast of Wales, and, with regard to the others, they gave Directions to intercept the Goods, and as to what related to the Surveyor General's Account from *Ipswich*, they order'd Proofs of the said Frauds to be procured, but all endeavours proved ineffectual.

By the said Account, it appears likewise, that the Teas and other Goods so conveyed, were guarded by formidable Gangs of Smugglers armed, and that the Officers of the Customs dare not attempt to make any Seizures: And that there have been several other Instances, since the late Act, wherein the Officers of the Customs have been obstructed, and prevented in Searching for, and Seizing of prohibited Goods on Shore, and on great Number of Vessels at Sea, and that where they have attempted it, they have been beaten and cruelly wounded. It appears also, that the Commissioners of the Customs receiv'd a Letter from the Collector at the Port of *Whitehaven* acquainting them, that a great clandestine Trade is daily carried on, upon that and the Scotch Coasts, from the Isle of Man (which he

C

calls

calls a Storehouse or Magazine) of all *High Duty Goods*, besides what is run from that Island into Ireland, Wales, Lancashire, and the Highlands of Scotland; to such a Degree, that the Revenue of Great Britain and Ireland suffers above £. 100,000 a Year thereby: that this Trade is carried on in open Boats, which land in the Night on any Part of the Coast, and at any Time without regarding Tides; and to Ireland, Wales, &c. in large Wherries that generally outfail any of the Custom House Sloops: That on the 15th. of January, Eleven Smuggler's Boats were seen going by the Harbour of *Whitehaven*, steering for the Scotch Borders, laden with Brandy, Rum, and Tea, and got all their Cargos on Shore, except One, which was taken by the Officers of *Seafeld*; that that Island has, since the War with France, been supply'd from thence with Brandy, Wine, and other Goods, in neutral bottoms, and with Rum by our Ships, chiefly, from our own Plantations. That the 13th. of February at Night a Dutch Ship came into *Whitehaven*, having discharged a Cargo of *high Duty Goods* in the said Island; and that the present Law is of little Force to prevent this destructive Trade, there being greater Quantities of Goods run from that Island, since the making the late Act, than ever was before: And he concludes with declaring it as his Opinion, that the Smugg-

Smugglers will one Time or other, if not prevented, be the Ruin of this Kingdom.

Mr. RICHARD SCLATER, Dealer in Tea, being examined, said that he was of the same Opinion with Mr. Janffen, as to the Increase of the Quantity of Tea which will pay Duty; and as to the great Gain of the Smugglers.

That he computes the Tea consumed in this Kingdom to be near 4, 000, 000 of Pounds Weight per annum: And as the annual Quantity, which paid Duty, was not, till the present Act commenced, above 800, 000 Pounds Weight, therefore 3, 000, 000 of Pounds Weight at least must have been run every Year.

That the Smugglers now trade, and have always Admittance into the Ports of *France*. That they buy some Teas of the Danes and Swedes; and run great Quantities from *Middle-brô* and *Flushing*: But that he believes there is not so much smuggled, in general, since the present Act passed, as before; which he attributed to Commodore Barnet's making Prize of the French Tea in the East Indies, for, he said, if that Tea had been brought to *France*, it would have occasion'd as much Smuggling now, as formerly; but as the Dutch have bought it, tho' it may be run from Holland, yet it must be run

run with greater Difficulty, by Reason of the Distance of the Dutch Coasts: That the Running of Goods into *Kent* and *Sussex* (the Counties where commonly this Practice was mostly carried on) has met with great Interruption, and been in some Places totally prevented, by the Fleet on that Coast and the Forces on Shore; and that several Persons who were never known to sell Tea before, have, since the Commencement of the present Act, bought large Quantities of the fair Traders, and dispos'd of it upon those Coasts, where Smuggling was at a Stand; but he added, that since Smuggling had decreas'd upon the *Kent* and *Sussex* Coasts, it was increas'd to a great Degree on the Coast of *Suffolk*.

That the Dutch, French, Swedes, and Danes deal chiefly in low Price Teas; and upon a Medium, for several Years past, he believes there has not been above 60,000 Pounds Weight yearly of fine Tea brought into Europe, except into this Nation, wherein the Quantity annually imported is about 150,000 Pounds Weight: That the Smugglers run only coarse Teas, purchased abroad for 2 s. or 2 s. 4 d. and sold here for 4 s. 6 d. or 5 s. pr. Pound: As to fine Tea, their Package would spoil it; nor could they, if they bought a Quantity, dispose of it.

That he thinks the French do not consume above One Tenth of their own Tea, nor the Dutch

Dutch any Quantity equal to what they import, and as to the Germans, and other Neighbouring Countries, they consume very little in Comparison to our Consumption; he apprehends that the greatest Part of the Dutch and French Teas must be sold to Persons who run them into this Kingdom; he said likewise that the Smugglers pay for their Goods in ready Money or Wool, and that he believes this clandestine Trade brings *France* more Specie than all their Trade in Europe, and must in Times Bankrupt this Nation.

He said further, that the Smugglers in the Country, by their Numbers and their Outrages; intimidate several of the Civil Magistrates, from granting Warrants to apprehend them; and the Officers of the Customs and Excise, from Venturing to do their Duty: and the Witness attributes it to this Terror, that so few Seizures are made.

Mr. COLLET MAWHOOD, Druggist, being examin'd, gave the same Reason as Mr. Janffen, with Regard to the Difference in the Produce of the Duty upon Tea, the two Quarters ending at Michaelmas and Christmas 1745, and was likewise of the same Opinion, that the Tea which paid the Duty since Christmas last, is the Quantity really dispos'd of for Consumption; consequently that less is run now than formerly;
Tho'

Tho' he said, he apprehends a great Deal is still run; because what is consumed at home, he believes, is not less than 3,000,000 of Pounds Weight yearly; He was also of Mr. Sclater's Opinion, that the Sweedes, Danes, and French, who import large Quantities, cannot consume it themselves, but bring it into Europe with a View of sending a great Part thereof into this Nation; And he informed the Committee, that by the printed Accounts, the Cargoes of Tea brought this Year into Europe, were

To <i>Holland</i>	-	-	4,200,000
<i>Sweden</i>	-	-	2,600,000
<i>Denmark</i>	-	-	750,000
<i>England</i>	-	-	880,000
<i>Portugal</i>	-	-	116,000
Total			- 8,546,000

To which, he said, there must be added the Quantity of Tea contain'd in the three *French* Ships, taken in the East Indies by Mr. Barnett, and sold to the Dutch; Two of which Ships are arriv'd in *Holland* with 1,300,000 Pounds Weight of Tea, so that the whole Amount of what is imported into Europe this Year is 9,846,000 Pounds Weight; But he added, that, as those French Teas were sold to the Dutch, they may be run from *Holland*, and this, he apprehends may be the Reason that Smuggling is decreas'd in *Kent* and *Sussex*, and increas'd in *Suf-*

Suffolk, because the latter Coast lies more convenient to run Goods from *Holland*: He said likewise, that the East India Company having, besides their Importation from the Indies, lately bought in *Holland* a great Quantity of Tea, this large Supply may in some Measure prevent Smuggling; But then the Company must sell it at so low a Price, as that the Smugglers cannot undersell the Dealers, for, otherwise, let them import ever so much, it will be to no Purpose.

In order to ascertain at what Rates those Sorts of Teas come to the fair Trader, and what they cost the Smugglers;

He was further examin'd, and said, that since the late Act, there has been a Sale at the East India Company's Warehouse, at which Sale, the lowest Black Bohea Tea (the Species chiefly run) was sold by the Candle at 3 s. 4 d. pr. Pound, to which Price must be added the Excise of 1 s. pr. Pound and 25 p. Cent *ad Valorem*, and from thence there is to be deducted 6½ per Cent on the prime Cost, for prompt Payment, as also an Allowance for Trett, and Super Tare, all which brings the Price of this Tea to the Trader, to about 4 s. 8 d. the Pound, and the Witness and others sell it for 5 s. pr. Pound, in order, if possible, to prevent Smuggling:

gling: That in *Holland* the same Sort of Tea is sold for about 24 Stivers pr. Pound, which is about 2 s. English, and the Buyer has rather larger Allowances than our East India Company make: That in *Sweden*, Teas are rather cheaper than in *Holland*: The Expence which the Smugglers are at in Running Tea, in this Time of War, he said, he believed might be 14 d. pr. Pound. And supposing them to sustain a Seizure of one Cargo in five, it adds to that Expence 4 d. pr. Pound more; and they sell Tea, as he is inform'd, for about 4 s. pr. Pound: But that now they have a great Difficulty in Disposing of it, since the present Act was made; and that tho' they could formerly afford to loose one Cargo in five, he apprehends they cannot at this Time.

Mr. SAMUEL WILSON, Grocer, being examin'd, own'd that formerly he had been greatly concerned in Running of Tea, but took the Benefit of the Act of Indemnity made in the Year 1736; and said, that the Vessels employed in Running of Goods do most of them belong to the Subjects of this Kingdom, and are generally *Folkstone* Cutters from 15 to 40 Tuns Burthen, and that some are sent by the French and Dutch from *Boulogne* and *Middlebrô*; That these Vessels are met 3 or 4 Miles from our Coasts by Boats, which bring the Goods a Shore, and before

before the present Act, he believes 20 or 30 Cargoes were run in a Week. That the Smugglers buy their Goods abroad, with Money or Wool, and that the principal Comodity they run, is Tea.

That for the 3 or 4 Years preceding last Midsummer, there were seldom less than three Millions of Pounds Weight of Tea clandestinely imported every Year, and of this, he said, he was lately inform'd by one Robert Hanning, who supplied the Smugglers with Tea formerly at *Dunkirk*, and since the War with *France*, at *Flushing*, and has been several Times in *England*; and which Fact, Hanning told the Witness he could make appear.

That the Dealers in Tea, gave to Smugglers in 1728 and 1729, 8 s. pr. Pound for Run Tea; but that since the Danes, French and Swedes have traded to the Indies, the Price has gradually decreas'd.

That Tea run into *London*, is put into Warehouses, under the Care of Agents, and if any is seized, all the Parties concern'd are Sufferers alike.

That the Smugglers give more abroad for their Tea now, than formerly : That the present
D Price

Price of such Bohea as is imported by our Company, is about 2 s. 10 d. a Pound, and a great Quantity is now supply'd, all at that Price, by one Andrew Hersey at *Middlebrô*: That their Expences are, for Freight 1 £. 1 s. pr. hundred Weight; for their Baggs containing 27 Pounds Weight each, 2 s. pr. Bag; to their Porters 4 s. pr. hundred Weight; for Warehouse Room 5 s. and 20 s. pr. hundred Weight is allowed to their Agent who disposes of it to the Hawkers: their whole Expence amounting to betwixt 1 s. and 1 s. 3 d. pr. Pound; and this Tea the Smugglers sell for about 20 £. pr. hundred, Dutch Weight, which is about 109 lb. English. That he has been informed by Smugglers, that they do not now get clear above 20 s. pr. hundred Weight, and he himself believes, their Profit cannot amount to three Pence pr. Pound.

As to the Loss which Smugglers sustain by Seizures, he said, it was a meer Trifle: That he formerly dealt with a considerable Trader in Run Tea for 6 or 7 Years, who never had any Goods seiz'd in all that Time: And that altho' the Danger of Seizures is greater at Sea, than at Land, yet the Smugglers commonly escape the Custom-House Sloops, by Means of Intelligence sent from the Inhabitants of the Coast, when those Sloops sail out of Port; and that the Generality of the People, on the Coasts, are better Friends

Friends to the Smugglers, than to the Custom-House Officers. He added likewise, that Smugglers (to escape being seized at Sea) frequently make out their Clearance from the foreign Port, at which they took in their Lading, to some other foreign Port; so that, if they are not met at Sea by the Custom-House Sloops, within six Miles of the Coast, they are not liable to Seizure; And that he has known several Smuggling Vessels escape by this Contrivance.

As to the Seizures on Land, he said, they very seldom happen; for when the Tea is landed, it is carried by 10 or 12 armed Persons in a Body on Horseback into the Inland Counties, where there is no Danger of having it seized; and it is disposed of at certain Markets, to People who take 1000 Pounds Weight at a Time: That there are likewise a Number of Men called *Duffers*, who go on foot, and have Coats, in which they can quilt a Quarter of a hundred Weight of Tea, and bring it to *London* in that Manner undiscovered; and that these *Duffers* supply the *Hawkers*, who carry it about the Town, and sell it to the Consumers. That Tea is seldom now brought in great Quantities to *London*, or, when brought, is scarcely ever seized without the Assistance of Soldiers, in which Case the Smugglers have commonly Knowledge of the intended Seizure, Time enough to remove their Goods.

That

That the Informations of Places where Tea is lodged in the Country, are commonly given to the Inspectors of the Customs, who send for Soldiers to seize it, but they are generally unsuccessful 3 times in 4, for the Smugglers have timely Intelligence of such Information from their Agents.

That they likewise employ an Agent (one Norton) to defend them against Prosecutions; and he searches to see when Capias's are taken out in the Exchequer against any of his Clients, and accordingly apprizes them to get out of the Way: That this Norton was formerly Clerk to the late Mr. Metcalf, Solicitor to the Customs, and that the Witness believes, he then might see all the Informations that were given in at the Custom-House against Persons for Running Goods; and it is not impossible but that he may now come to the Knowledge of the like Informations by Means of the Solicitor's Clerks. The Reason why he thinks so, is, because that he himself had come to the Knowledge of several Informations the same Way; That the Smugglers have such Intelligence, and use such artfull Management, and are withall so resolute and desperate, that the Witness believes, notwithstanding all the Care of the Custom-House Officers, not one Pound in twenty of Run Tea is seized.

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As to the Number of People who follow this Practice, he said, they are not less than 20,000; That they assemble together at Ports and Places most convenient for their Purpose, particularly at *Folkstone*, where there is a great Number; but that their chief Place of Resort is *Hawkhurst* in *Kent*: That they go armed, and altho' they are well known, People dare not venture to molest any of them; and that if Soldiers are ordered to take them, they have Intelligence either from their Agents, or perhaps from some of their Relations or Friends: And the Witness owned, that he himself actually did apprise one Tomkins of his being advertized in the Gazette, with a Reward for his Apprehension, early enough for the said Tomkins to make his Escape.

Being asked the Question, he said, that Smugglers purchase Teas with Money and Wool; That when they get any Wool, they put it on Board such Vessels as are ready to put to Sea; but that a Ship never stays for that Sort of Lading; for if no Packs are ready, the Vessels frequently go without: And he believes, that there is carried out of this Kingdom, at least £. 1,000,000 pr. annum in Specie to purchase the various Goods run in here, and he was the more confirm'd in this Opinion, because that the said *Hanning*; formerly a Smuggler in this King-

Kingdom, and who was indicted for a Murther and absconded, and was afterwards pardon'd, on Condition of his making certain Discoveries in Relation to the Practices of Smuggling; wrote thereupon to *Hersey* at *Middleburgh*, to make Inquiry amongst his Correspondents at other foreign Ports, what the Money received from Smugglers might amount unto, and *Hanning* delivered a private Account thereof to Sir *Robert Walpole* some Time before the Year 1736; By which Account it appeared, that the same amounted to £. 1, 000, 000 or £. 1, 100, 000 pr. annum, of which £. 800, 000 pr. annum is paid for Tea; but the Witness said, that at that Time the Smugglers gave for their Tea a much larger Price than they give at present.

Mr. ABRAHAM WALTER, Dealer in Tea, being examined, owned that he had been formerly concerned in the Running of that Commodity, but had taken the Benefit of the late Act of Indemnity: and said, that *Hanning* mention'd by Mr. *Wilson* (and who now lives at *Flushing*) is the Witness's Brother, and that he, the said *Hanning*, together with other Dealers in Tea at *Calais*, *Boulogne*, *Dunkirk*, *Flushing*, and *Middleburgh*, constantly examined, what Quantities were shipt at those Ports; and that for 3 Years, before Midsummer last, the same was found to amount annually to upwards of

3, 000, 000

3, 000, 000 of Pounds, and since the late Act, to above the Proportion of 1, 000, 000 of Pounds pr. annum; but the Quantity, run before the Time he speaks of, was not so great.

That the Smugglers with their Vessels are, at this Time of War, admitted into *French* Ports, where they take in Tea, and, as the Witness has been informed by several Persons, are sworn not to discover any thing they see there.

That, in *Holland*, the Price of Bohea Tea, at present, is from 2 s. 4 d. to 3 s. and the Price of Green Tea is 3 s. 3 d. to 4 s. pr. Pound; The Expence of bringing and disposing of it, (according to what he himself has often paid) is from 1 s. 3 d. to 1 s. 4 d. pr. Pound, and that their present Profit thereupon is from 30 s. to 40 s. pr. hundred Pound Weight, which he thinks but very small, considering the Hazard they run, both as to their Persons and Goods. But he said, that if they left off, and separated, they are in Danger of being prosecuted on account of travelling with Fire-Arms near the Coast, and therefore are obliged to keep together and continue their Practices. Being examined with Regard to the Loss that the Smugglers sustain by Seizures, he said, no certain Computation could be made of it; for that he himself has run Goods 20 times together with a one Seizure, and

and has afterwards had his Goods seiz'd three-times successively, and afterwards for two Years he continued the Practice, and lost nothing: That the Danger of Seizure is greater at Sea, than at Land, and that the Running of Goods into *Kent* and *Sussex*, is at this Time much more dangerous than into *Suffolk*, by Reason of the Fleet at Sea, and Troops on the Coast, and that when Smugglers bring their Tea to *London*, there is more Danger of it's being seized, than when it is disposed of in the Country: But, he said, that very little Tea is brought to *London* in Quantities; for, several People go and buy a Quarter or half a hundred Weight in the Country, and bring it to Town, and sell it.

The Witness gave further Evidence, to the same Effect with *Wilson*, as to the Number of Persons employed in Smuggling, and he added, that it is extremely dangerous for Custom-House Officers, or others to attempt to seize Goods in the Coast-Counties, because the Smugglers are very numerous there, and can assemble to a great Number, whenever they have Occasion; and that, in particular, at the Village of *Hawkhurst* in *Kent*, 500 can get together armed in less than one Hour. That there is not one Person in ten, in the Country; but would give them Assistance, and do lend the Smugglers their
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Horses, and Teams to convey their Goods, for which the Smugglers pay an advanced Price; and he believed, that, upon the whole, the Smugglers do not lose, by Seizures, above one Pound of Tea in twenty, or thirty.

He said also, that he knows of about 60 English Cutters, of 30 or 40 Tons each, and 5 or 6 Vessels of the same Burthens, belonging to Merchants at *Flushing*, which are constantly employed in Running of Goods: That these Vessels carry Wool, which is exchanged for the Commodities they bring back; But the Witness said, he believed, that above half the Wool that is carried, was conveyed by Coasting-Vessels, which run great Quantities of Goods in Return; for that he himself had seen Colliers in their Way to London, call at *Dunkirk*, and take in Teas, and Brandies; and likewise Scotch Vessels bring in great Quantities of Wool to the same Place, to be barter'd for Goods, which the Witness understood, were intended to be run into this Kingdom.

Mr. SHUTE ADAMS, Druggist, being examined, confirmed that Part of Mr. *Walter's* Evidence which related to 3,000,000 of Pounds Weight of Tea being run yearly, which, he said, he had been told by *Hanning* before mentioned, who had been lately in *England*; and

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that

that *Hanning* likewise told him that he kept an Account of all the Tea that is carried from *Dunkirk*.

Mr. MATHEW BLAKISTON, Dealer in Tea, being examin'd, said, that the late Alteration of the Duty upon Tea, had in some Degree lessened the Practice of running that Commodity, but not so much as might have been expected, which he apprehends to be owing to the following Reason, *viz.*

That the Dealers in Tea exported great Quantities to the Plantations, and Ireland, before Midsummer 1745, in order to receive the Benefit of the Drawback, since taken away by the present Act; and the said Dealers were likewise unwilling to replenish their Stock before that Act commenced, because the Duty would be lower.

That in July following, the East India Company had a Sale, but did not put Tea to Sale nigh sufficient to supply the Demands of the Dealers; who thereupon (being necessitated to buy by Reason all their Stocks were exhausted) outbid one another; and the Smugglers (who, as the Witness thinks, had no Chance to carry on their Practices, but by advancing the Price at this Sale) employed several Persons to bid high,

as they might safely do, without the Risque of buying, because the Dealers were necessitated to outbid them, and by this Means the Price of Tea was raised 25 £. pr. Cent, which the Witness apprehends to be the only Cause of the Continuance of Running of Tea. He added, that he believed, if the Company at the last Sale had had a sufficient Quantity, and had sold it at the Rate they sold their Tea the Sale before, (the Price of Coarse Boheas at that Sale being 2 s. 10 d. and Green from 3 s. 2 d. to 4 s. the Pound) the Trade could then, under the present Duties, have sold so low as to have prevented Smuggling.

The Witness added, that the Uncertainty of the Company's Sales, which ought to be twice a Year, is another Cause of Smuggling, For the Sale, which is called the September Sale, has not been yet, nor is it known when it will be made; and because of this Uncertainty and the small Quantity they put up at such Sales, People are obliged to purchase of the Smugglers.

Mr. SAMUEL WILSON, being again examined, his Evidence was contradictory to that Part of Mr. *Blakiston's*, which related to the Bidders raising the Price of Tea at the Company's Sale to 25 £. pr. Cent; for, he said, the Price of Tea rose gradually for a long Time before

before that Sale, particularly the Price of Green from 3 s. 3 d. to 4 s. 4 d. pr. Pound.

Mr. JOHN HAYWARD, Druggist, being examined, said, that the Act which commenced last Midsummer had prevented the Running of Tea much more than was expected it would have done in the Time; but that he apprehends a great Quantity is still run, not less than after the Rate of 1,000,000 of Pounds for the whole Year.

That he thinks the Cause, of this great Quantity's being run, is owing to the East India Company's not sufficiently supplying the Dealers, and to the Smuggler's Agents raising the Price by bidding at the last Sale; That this Practice was suspected, and the Sale was thereupon stopt for some Time, and several Brokers were asked the Names of their Principals, and they mentioned Persons, who were suspected to be concerned in the Running of Tea, and that several Persons, who go under the Denomination of Speculative Buyers, purchase Teas there, meerly on an Expectation of the Price rising afterwards; That by these Means the Price of Tea is increased, and the Smugglers thereby enabled to undersell the Dealers.

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This Witness, and the said Mr. *Blakiston*, being severally asked, why, In Case the Company do not bring sufficient Quantities to supply all Demands, Other People, pursuant to the Provision by Law for that Purpose, have not apply'd for Leave to buy Tea? They said, that they believe People are afraid to contend with a Company, and, that if any Sett of Men were to obtain a Licence to import Tea, the Company would put up their whole Stock to Sale, and undersell them.

Mr. JOHN SCRIVENER, Dealer in Tea, being examined, said; that since the present Act commenced, the Practice of Smuggling had greatly decreased, for that the fair Traders sell now much more Tea than they did formerly; but that still a great Quantity is run: That the Swedes sell Tea to the Smugglers; and that it is a common Practice, to send Tea to the *Isle of Man*, from whence it is run into *England* and *Ireland*: And that if the East India Company cannot supply the Dealers with a sufficient Quantity of Tea, at low Price, the Smugglers will continue to run it; and if they cannot supply the Coarse Teas at 2 s. 9 d. pr. Pound, the Dutch will.

That when the Company puts up a small Quantity to Sale, several Persons buy in a specula-

culative Way, in order to sell it again at a large Gain, when Tea is wanted: That the Price of Teas is by this Means often raised, and the Smugglers thereby encouraged to run this Commodity.

Mr. BARNABY BLAND, Officer of the Customs, being examined, said, that he judges by the great Decrease of Informations in the Port of *London*, that the Quantities of Tea run, are much less than before Midsummer last; That the East India Company had always more Tea before the Commencement of the present Act, than they could dispose of; but the Demands since being much larger, they had not enough to supply the Dealers; and that till the Company can bring in a sufficient Quantity, if there were no Duty at all, Smuggling would continue.

He said, that the Smuggler's Profit is much less now than it was before the Act, for that their Journies are less frequent, and more expensive; That they formerly came to *London* about 2 or 3 a' Clock in the Morning, and could sell to particular Dealers from 1000 to 2000 Pounds Weight, and be out of Town again by Six the same Morning; and by this quick Return, they generally made a Voyage every ten Days: But as the said Dealers have refused to buy since the said Act, the Smugglers have

have had great Difficulty in disposing of their Tea, and that now a Dozen or Twenty of them in a Gang carry each of them half a hundred or a hundred Weight from the Coast, and separate and dispose of the same in the Inland Counties in small Parcels of 6, 7, and 8 Pounds, and sometimes in what they call Dollets, which are about 13 Pounds, so that their Returns are very uncertain, being regulated by the Success they have in disposing of their Tea. And he added that he believes, there is not now so much Tea run, as was within three Months after the Commencement of the present Act.

Mr. GEORGE BURRINGTON, being examin'd, said, that he believes not less than 5,000,000 Pounds Weight of Tea are yearly consumed in *this Nation, Ireland, and the British Plantations*; That the Dutch and Danes bring great Quantities of Tea to the Islands of *St. Eustacia, Sabia, and St. Thomas*, in the West Indies, from whence the British Settlements in the West Indies are supplied; That Ships go from the British Northern Colonies into the French Ports, and carry small Yards, Masts, and Arms, and sometimes Horses, for which they barter either in Money or Sugars; and if not for the Whole, they dispose of the Remainder at the English Settlements, and in their Way home they call at the Dutch and Danish Islands, and buy
Teas

Teas and other Goods with Money, whereby *England* is prevented from Supplying those Colonies with Tea.

That the Tea bought in the North East Part of *England*, and East Part of *Scotland*, comes from *Denmark*, *Sweden* and *Holland*, and is conveyed in Scotch Vessels, which load Wine and Brandies in *France*. That the Teas brought from *Sweden* and *Denmark* are purchased with our Specie and Manufactures; The Scotch send some Lead and Salmon, which are exchanged for Brandies, Tea, and Wine: but not to the Amount of the 20th. Part of the Value of the Wines, and Brandy they bring; the Rest being paid for, in Specie.

That Tea run into the South Part of *England*, is brought by the Vessels employed in Smuggling from *Holland*, *France*, *Jersey* and *Guernesey*, and that great Quantities are brought by Lime Vessels which come to *Devonshire*. That he believed not a Ship went from *Devonshire* to *Holland*, or *France*, but what run prohibited and French Goods; The Witness having bought hundreds of Dozens of Claret with the Bottles for 16 s. the Dozen, and French Brandy at 3 s. 6 d. pr. Gallon.

That many Vessels from *Liverpool* and *Whitehaven* carry Tobacco to *Holland*, (which is a great

great Trade in the North West Ports, because of the Opportunities to avoid the Duties) and run large Quantities of Tea, and other Goods, and that the same is practiced from *Glasgow* in *Scotland*.

He said likewise, that prohibited Goods are carried from *France* to the *Isle of Man*, and the West Coast of *Scotland*, and are sent to *Ireland*, *Chester*, and *Cumberland*.

That the Officers in the East India Ships carry out what Money they can raise, and buy Goods in the Indies, and run almost all the Goods they bring, into this Kingdom. They take Money upon Bottomree, which the Company must be apprized of, because the pay is 15 pr. Cent for Liberty to Trade.

Then the Committee

Examined Evidence with Regard to some Defects in the Act made the last Session, for *Indemnifying Offenders for Running of Goods*.

Mr. RICHARD SCLATER } severally said, that
and } a Number of Per-
Mr. SAMUEL WILSON } sons willingly embraced the Pardon granted by the said Act, and accordingly left off Smuggling, and settled themselves in Farms and other Occupations; but one

of those whose Name is *Murton* being apprehended, and indicted, upon a former Statute, for Riding with Fire-Arms near the Coast (which Offence is not included among those pardoned by the said Act of Indemnity) most of the Smugglers who had embraced that Pardon, being equally culpable, absconded upon an Apprehension they were liable to the like Prosecution, and upon Conviction of the said *Murton*, at the last Summer Assizes at *Rocheſter*, all those Persons finding themselves not safe, returned again to their former Practices of Running Goods.

And Mr. *Wilson* added, that three other Persons, who had likewise left off Smuggling upon the said Act of Indemnity, were apprehended and sent to Newgate, for Riding with Fire-Arms; where they died.

Mr. ABRAHAM WALTER confirmed this Evidence, with Regard to the evil Consequences attending this Defect in the said Act; and added, that besides the great Number of Persons that actually did accept the Pardon, several others who intended to take the Benefit thereof, were discouraged from it, by the Prosecutions commenced for the Carrying of Fire-Arms, and this Witness does believe, that had it not been for the said Defect, this Act would have almost put an End to Smuggling.

Mr.

Mr. BARNABY BLAND, an Officer in the Customs, confirmed what had been said in Regard to this Defect in general, and that the Continuance of the Running of Tea since Midsummer last, is in some Measure to be attributed to this Defect.

He added, that a great Number of Smugglers and Receivers of Run Goods, who had not rid with Fire-Arms near the Coast, had embraced the Pardon offered by this Act, and have accordingly left off; and that he believes most of the wealthy Importers have left off, but that some of them, who have rid with Fire-Arms (notwithstanding they have accepted the Pardon) are now afraid to come to *London*, from an Apprehension of being prosecuted, and that he has observed that most of the Persons affected in that particular, continue their former Practices.

WILLIAM WOOD, Esqr. Secretary to the Commissioners of the Customs, being examined, confirmed the Evidence before given with Regard to the Defect of the said Act, and added, that the Commissioners of the Customs understood at first that the Pardon was general, but afterwards, having some Doubt, they consulted the Attorney General, who gave it as his Opinion, that the said Act did not pardon those, who

who had carried Fire-Arms near the Coast; That the said Act has been far from answering the End intended, which he believes is in a great Degree owing to that Defect.

Other Causes, which contribute to the Practice of Smuggling, appeared from the following Evidence.

Mr. RICHARD SCLATER said, that he believes the Officers of the Customs have not been so diligent as they ought in Seizing the Boats, and Men employed in Smuggling; That particularly when Admiral *Vernon* took some of their Vessels, the Officers of the Customs let the Crews of these Vessels escape, and that this is frequently the Case when other Vessels are seized.

Mr. ABRAHAM WALTER } being examined,
and } said, that

Mr. MATHEW BLAKISTON, } when the Custom-House Sloops meet, at Sea, a Vessel employed in Running of Goods, they only take out the Goods, and let the Vessel and Men go, who immediately return for another Lading.

Mr. BARNABY BLAND, being examined, said, that there is a Defect in the Laws relating to the Seizures of Vessels, clandestinely importing
Bran-

Brandy, for that if such Vessels are under the Burthen of 40 Tons, they are liable to be seized and burnt, but if above 40 Tons, they are not even liable to Seizure; but that Vessels of any Burthen which run Tea are liable to Seizure.

And being asked the Question, he said, that he never knew any Instance where Officers of the Coast omitted seizing Vessels, when they were able, or that ever any Vessel was set at Liberty, when seized, without Prosecution of such Seizure. He added, that the Vessels employed in running Tea, cannot be legally seized, unless Tea is found on Board, or Information is given that they have been concerned in Smuggling, and that the Property, in them, is not alienated: That as they are the best Sailing Vessels, it is difficult to seize them, when they are at Sea, and have Tea on Board, because they can outfail the King's Ships, and Custom-House Sloops, and when they are empty and are seized in Port, it is difficult to prove their having been concerned in this Practice, and that these Difficulties are the Cause of so small a Number of Vessels being seized or prosecuted.

WILLIAM WOOD, Esq. confirmed Mr. *Bland's* Evidence, with Regard to such Vessels, as are liable by Law to be destroyed, or forfeited, and added that he apprehends in some Instances, as
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the Law now stands, Vessels importing Tea are not liable to Forfeiture : That forfeited Vessels are put up to Sale, and that as the Practice is at present, the Smugglers can claim and have the Vessels for what they are valued at, and for which they have the Authority of an old Rule of the Exchequer, not founded upon any Law, as the Witnels apprehends; and being asked the Question, he said, that after these Vessels are thus bought, he believes they are again made Use of in this clandestine Trade; and being likewise asked the Question, he said, that Officers in the Customs are sometimes dismiss'd for Neglect or Conniving at Frauds, but that he knows of no legal Penalty for such Neglect or Connivance.

Mr. SAMUEL WILSON,	} being examined, said,
Mr. RICHARD SCLATER,	
and	
Mr. MATHEW BLAKISTON,	} that they apprehended

that the frequent Mitigation of Penalties (incurred by Persons convicted of Dealing in Run Tea) to small Sums, by the Commissioners of the Customs and Excise, is very detrimental to the fair Traders, and is not only a great Encouragement to the Running of Tea, but likewise to People to purchase it, when run.

And

And Mr. *Wilson* added, that when such Prosecutions are commenced against any Person, Stops are frequently put to Proceedings upon Applications made to the Lords of the Treasury, and Commissioners of the Customs and Excise; and that Persons of the best Interest, especially Voters in Elections for Members of Parliament, are always most favoured.

It appears also from several Accounts, referr'd to and laid before the Committee, that several Persons, concerned in the Running of Goods, have been allowed to compound the Penalties, incurr'd on that Account, for very small Sums, and the Reasons generally alledged for the same, are the distressed Circumstances of the Offenders, and it also appears that several Prosecutions, against Persons for Offences of this kind, have been stopt on Payment of Costs; and against others, on Condition of their entering themselves on Board some of his Majesty's Ships of War.

Mr. SAMUEL WILSON, being again examin'd, said, that a Fraud is practiced by Dealers in Tea, by which the great Quantities of Run Tea are secured from being seized, and is done in this Manner; The Dealers, when they take any Quantity of Tea out of the Company's Warehouse, have a Permit to place it in their Stock, and

and when the Officer comes to survey the Stock, he takes that Permit back to the Office, where the Dealers have Credit, in the Permit Books, for such Quantity of Tea, that when they sell any Quantity of Tea, for which a Permit is demanded, they are so send to the Office for it, but they frequently sell great Quantities to Persons who demand no Permit, which Quantities the Dealers ought to set down in a Book, called the Small Book, which they are by Law obliged to keep for that Purpose; But they perhaps don't set down above a Tenth Part of the Quantity, they do so sell, but send to the Office for Permits for the Remainder, and these Permits they sell to the Smugglers, from 2 s. to 6 d. for each Pound of Tea therein permitted, and the Witness owned that he himself has sold some for 2 s. 9 d. pr. Pound, and he apprehends that these Permits are a great Assistance and Security to the Smugglers.

With Regard to Methods to prevent the said pernicious Practice of Smuggling, the Evidence given to the Committee was as follows.

The said Mr. *Janssen* gave it as his Opinion, that in Case the present Excise upon Tea was reduced still further 6 d. or 7 d. a Pound, and the East India Company would bring in a great Quantity, equal to our home Consumption, Tea might

might be sold at a Price the Smugglers would not be able to undersell, and as the annual Consumption in this Kingdom is computed to be 3,000,000 of Pounds Weight, such a Reduction of the Duty (considering that the Running of this Commodity is then prevented) would be a great Increase to the Revenue.

Mr. SCLATER said, that if the fair Traders were enabled to sell Coarse Teas for about 4 s. 6 d. pr. Pound, the Smugglers could not then undersell them: That he apprehends, the annual Consumption of Tea in this Kingdom is near 4,000,000 of Pounds Weight; and if the Duty was only 1 s. or 1 s. 5 d. pr. Pound, and the Custom to stand as it does, it would be no Diminution of the Revenue, and would at the same Time effectually prevent the Running of Tea.

Being asked, if a Stop to the Running of Tea would not lessen the Consumption, he answered, it would not; in Case the fair Trader was enabled to sell it at 4 s. 6 d. pr. Pound, for the Generality of People are so habituated to it, that they cannot leave it off.

That as great Quantities of Tea are carried about by Smugglers in Baggs and Baskets, and disposed of to the Consumers; which tho' they are liable to lose by Seizures, yet he apprehends; if they were likewise subjected to a Penalty,

nalty, and a Stop was put to the frequent Mitigations of Penalties to which the Dealers in Tea are liable; upon Conviction of buying Run Tea; it would greatly discourage Smuggling.

Mr. MAWHOOD said, that a Reduction of the Duties, and the Securing or Destroying the Vessels employed in the Practice of Smuggling, would in his Opinion certainly prevent the same.

Mr. WALTER said, that the present Profit the Smugglers now make, by Tea, is so small, that several, to his Knowledge, would willingly leave off, but dare not for Fear of being prosecuted; That he is certain, a further Reduction of 6 *d.* a Pound, would reduce the Price of Tea, so low, as to prevent the Smugglers from making any Profit, which Reduction, together with a Free and General Pardon, would, in his Opinion, entirely and effectually prevent the Running of that Commodity.

Mr. SAMUEL WILSON said, that he apprehended, the most effectual Way to prevent Smuggling of Tea, is to reduce the Price of that Commodity so low, as to make it not worth any Person's While to run it, but thinks it impossible to attain that End without a Reduction of the Duty, especially as the Danes, Swedes, French and Dutch (who import great Quantities and consume very little) have no other Market for their Surplus, and can sell it at a Price for
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the Smugglers to sell it again, much below the Trader, who pays the present Duties; and that a Reduction of 6 *d.* a Pound in the Duty, (provided they East India Company had constantly a sufficient Quantity) would enable the fair Trader to sell Coarse Bohea Tea at 4 *s.* pr. Pound, and Green Teas in Proportion; and, in this Case, the Witness is certain that Smuggling must cease.

He also added, that *Robert Hanning* before mentioned, in the Course of this Examination, told this Witness, that if the Price of Tea was lessened 6 *d.* pr. Pound, it would put an entire Stop to Smuggling.

He then proceeded to prove that by such Reduction the Revenue would be considerably increased, *viz.*

That upon a Supposition of 3,000,000 Pounds Weight of Tea being consumed annually in this Kingdom, and that Quantity paying a Duty of 6 *d.* pr. Pound, would produce - £. 75,000

The Duty ad Valorem, supposing each Pound to be sold at the Company's Sale for 4 *s.* on a Medium, would produce - - - 150,000

The Custom of 14 per Cent paid by the Company would produce - 84,000

Which makes in the Whole £. 309,000

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From whence he inferred, that if the Duty of 1 s. pr. Pound was reduced to 6 d. and Smuggling thereby prevented, the Revenue would be increas'd £. 75, 000 pr. annum more than the present Duty; upon a Calculation of what already appears; will produce; and this Reduction would certainly prevent the Running of Tea at present, by Reason, that the East India Company have, with their own Stock; and a large Quantity of Inferior Teas they lately purchased in *Holland*; sufficient to supply all present Demands: And as they have great Quantities coming from the Indies, and may buy cheap in foreign Markets, he had no Doubt of their Supplying the whole Consumption of this Kingdom for the future, and in this Case the Revenue would be increased much above his Computation, because he has great Reason to believe that the annual Consumption of Tea in this Kingdom greatly exceeds 3, 000, 000 Pounds Weight.

That Smuggling-Vessels sometimes take in Brandies as Ballast; but the Witness has heard the Smugglers say, that as Brandy is a heavy Commodity, if the Smuggling of Tea was prevented, it would not be worth While to bring Brandies, and that as there is, by the Vessels that bring Tea, an Opportunity of sending Wool out of this Kingdom, (and by which Means a great Quantity is actually conveyed) he apprehends

prehends if no Tea was run, it would in a great Degree lessen the Smuggling of Wool; for it would not answer, for any Person to employ Vessels merely in the Carrying of Wool, by Reason of the long Time they must wait between their Voyages to get a Loading, and of the great Hazard they must run of being seized, while they are in waiting.

And he added, that Tea is by far the most considerable Commodity that is run; and as Running most of the other Species of Goods depends upon, and are encouraged to be run merely from the Opportunity of Running them with Tea, he apprehends that this Reduction of the Duty on Tea, accompanied with a Free and General Pardon, will be a more effectual Means to prevent Smuggling in general, than any other Method that he ever heard proposed.

Being asked, whether Sending on Board Ships of War, People taken in the Practice of Running Goods, would not greatly discourage them? and whether they might not be made very usefull there? he answered, he believed it would in some Degree discourage them, and that they might be made usefull, but then he thinks, that the Practicing that Method would make them more desperate; and that he is confident, from his being well acquainted with their Disposition,

position, That if a Law was made to pardon them, on Condition of their Enlisting for Soldiers or Sailors, they would not accept it, and that if Compulsory Methods be attempted, they will assemble together in a Body to defend themselves. That he believes, if the Duty was reduced, and a Free and General Pardon was granted, they would disperse, and in that Case several of them might be induced to enter into the Army and Fleet, and be extremely usefull; particularly at Sea; they being extraordinary good Sailors, and good Pilots on the *French Coast*.

With Reference to the Mitigation of Penalties, he said, that if by Law there was no Power of Mitigation, for receiving of run Tea, and selling Permits in the Manner before described, he believes it would be a great Discouragement to the Smugglers and the Receiver; but if the Power of Mitigation was wholly taken away, he thinks, withal, that some Laws relating to the Excise would be extremely severe, particularly one, whereby a Penalty of £. 100 is inflicted upon Dealers, who neglect to set down in their small Books every Day the Quantity of Tea they sell without Permits, and if a Dealer forgets, or happens to be ill, or engaged in other Business, and trusts to his Servants to enter Tea sold, and they neglect it, and the Officer comes in the Morning, and by
Survey

Survey of his Stock, finds, that he has sold a Quantity, for which he neither sent to the Officer for Permits, nor entered it in his Books, this Penalty of £. 100 is recoverable; but added, that if this and some other Penalties were lessened, the Power of Mitigation (very detrimental to Trade) might be taken away.

Mr. MATHEW BLAKISTON said, that the taking away the Temptation of Smuggling, by lowering the Price of Tea, would be the most effectual Method to prevent it, but apprehended that by a Reduction of the present Duty, that End would not be attained, for that, as the East India Company do not bring home a sufficient Quantity, the Dealers, by bidding one above another, would give the said Company an advanced Price equal to the Reduction of the Duty.

That he apprehends, the Running of Tea may be prevented, without Reducing the present Duties, if the said Company were obliged to supply the Dealers with a Quantity equal to the Consumption of this Kingdom, and their two Sales in the Year were fixed to certain Times.

That if a Free Pardon was granted to Persons concerned in the Practice of Running this Commodity,

modity, he believes that many of them, particularly most of those who have acquired large Sums of Money, would accept it, and that if they be not effectually pardoned, they will keep together in Bodies for their own Security, and continue their Practices, tho' attended with very little Profit.

Being asked the Question, he said, he apprehended, if some Method was contrived, to employ these Persons on Board the King's Ships, it would greatly prevent the Carrying on the said Practice.

Mr. BARNABY BLAND said, that he believes the annual Consumption of Tea in this Kingdom to be about 4, 000, 000 Pounds Weight, and the Quantity now run may be 2, 000, 000 of Pounds Weight yearly, and that he apprehends, there is no Necessity to reduce the present Duty on Tea, in order to prevent Smuggling, provided the Company were allowed Time to furnish themselves with Tea from abroad; for they would be able, under the present Duties, to sell it so low as to prevent the Running of this Commodity.

But, upon further Examination, he owned, that he believed the Produce of the Duty, if reduced 6 *d.* a Pound, would not be less than
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the Produce of the present Duty, and that such a Reduction would more effectually, and sooner, put an End to Smuggling, than it can be under the present Duties, and that if an Act of Indemnity was to pass, and the Gangs of Smugglers thereby dispersed, they would scarce be ever able to reunite, and then the 6 *d*, so reduced, might after some Time be safely revived; and that he thinks, such Act of Indemnity should contain so unlimited a Pardon, as even to include Murder. That he believes, great Number of Smugglers have been concerned in Murder, and others, tho' innocent of the Commission of the Crime, yet may dread a Prosecution upon such Account; That if, upon accepting this Pardon, they were obliged to register their real and Nick-Names, it might be of Use, tho' some of them, he believes, would have Objections to such a Register. And if the Legislature would provide that, after such Pardon, future Smugglers should be deemed to be within the Description of the Act of the 9th. of the late King, commonly call'd the Black Act, it would greatly discourage them.

Being questioned as to the Utility of sending them on Board the King's Ships, when taken, he said, he did not think they could be put upon any Service from which they might not

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escape, and in such Case they would become more desperate.

And he further said, that if some Law was made for the more effectual Securing the Vessels employed in Smuggling, for the Use of the Crown, and for arming and employing them on the Coast, in the Service of the Customs; they being the best Sailing-Vessels that are built; it would greatly distress those employed in Running Goods.

Mr. Wood, being examined, said, That in his Opinion nothing would prevent Smuggling in general, but lowering the Duties, and that another Reduction upon Tea (if the East India Company sold at a Price in Proportion to such Reduction) would undoubtedly be of Service to prevent Smuggling.

That the Smugglers themselves say, that a General Pardon would bring many of them in, but thinks Murther should be excepted therein, as it would only affect a very small Number, for he believes but few have actually committed or been concerned in Murther.

And he added, that the Smugglers are in Combination at this Time, and the Way to break them is to grant a Pardon, which he is of Opinion

nion would disperse them, at least for the present, But said, there is no judging of this with any Certainty, for that several, who have been apprehended and pardoned, have immediately returned to Smuggling; And whether they may not refuse a General Pardon is uncertain, but he thinks it an Experiment worth trying, as no evil Consequences can attend it.

That he apprehends it would be of great Service, if all the Boats and Vessels under 40 Tons, taken in those Practices, were liable to be burnt, for altho' the Smugglers could build others, yet it would hinder and distress them, and put them to much greater Expences than they are now at in purchasing them again; and being asked the Question, he said he conceived, that if certain Penalties were inflicted, on such Officers of the Revenue as should connive at Frauds, or neglect their Duty, it would be of great Service, and that the greater the Penalties were, the more they would bind the Officers to a due Discharge of their Duty.

Being asked, whether, If Rewards were given for apprehending Persons concerned in Running Goods, many would not be taken by that Means, He answered, that he has known large Rewards offered, by Advertisements published in the Coun-

Country, but they were to no Purpose, People being afraid to inform.

And being asked, Whether it would not be a Means to prevent the Smuggling-Trade, if Smugglers were to be put on Board the King's Ships, and there employed for a certain Number of Years, and to be deemed Felons, in Case they should run away? He answered, that many Difficulties would attend the Execution of such a Law, That they must be convicted before they are sent on Board, and upon such Conviction they may, by the Laws now in being, be transported; That he believes they might be made usefull on Board of Ships, but it would be difficult to keep them there, and after their Escape, they would be very desperate, and therefore he is of Opinion, it would be better to send them abroad to *Gibraltar*, or *Port Mahon*, than to employ them on Board of Men of War; and added, that he believed, That if a Pardon was offered on the Terms of their entering on Board the King's Ships, it would be of no Effect, for that several Smugglers have told him, that they would not accept a Pardon on that Condition.

Mr. JOHN HAYWARD said, that reducing the present Duties on Tea 6 *d.* pr. Pound would doubtless contribute to prevent it's being run,
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provided the East India Company would supply the Dealers with a sufficient Quantity, and the Dealers not bid up the Price too high at the Company's Sales, (which upon Reduction has been the Practice) for in this Case this Reduction would be given to the Company.

And he added, that he does think the said Company have it now in their Power to give an effectual Check to the Running of Tea, For as they have bought a very considerable Quantity of Coarse Green and Bohea Teas in *Holland*, they might now import it all and put it up to Sale, together with the Quantity they have by them, which would more than supply all Demands, and therefore the Price could not be raised by Speculative Buyers and Smugglers Agents, But if the Company reserve their Dutch Tea, till the Sale after next, and at the next Sale only put up the Quantity they now have by them, there will not be a sufficient Quantity to supply the Dealers, and it will advance the Price 6 *d.* in a Pound more than if they offered the Dutch Tea to Sale at the same Time.

Mr. SHUTE ADAMS said, that the most effectual Method, to put a Stop to Smuggling, would be by reducing the Duty in such a Manner as to make it not worth the Smugglers While

While to run it, together with a General Pardon to Smugglers; That in his Opinion the 1 s. Duty should be lessened, and not the 25 p. Cent *ad Valorem*; For, that at the last East India Sale there was some Tea sold at 3 s. 4 d. a Pound, and some for upwards of 17 s, and it is unreasonable that the one should pay a Duty per Pound, as large as the other, especially as the latter goes further in the Consumption; For should the 1 s. pr. Pound remain, that Tea which cost 3 s. 4 d. will pay a Duty of 30 per Cent; the other which cost 17 s. a Pound or upwards, will pay only Six per Cent.

That the chief Consumption of Tea is in the ordinary Sorts, and which are the Support of the Smugglers.

That, he imagines, another ill Consequence might be cured by the not lessening the *ad Valorem* Duty, which is, that of Running up the Goods to too great a Price at the East India Sale, for when a Buyer considers, that upon every Penny, he bids 25 per Cent on that Penny, he will be cautious how he runs to too great a Length; And keeping the Market at a low Rate, is a very important Point, For if the Smuggler finds it his Interest to smuggle, he will do it, And no Way is so likely to keep the Market low, as an *ad Valorem* Duty; That, if

if at the East India Sale, the Price of Tea be run up beyond it's Value in Proportion to foreign Markets, and the Smugglers thereby encouraged to run it, the Revenue will be compensated for the Loss it may sustain, in the Deficiency of the Number of Pounds, by an Increase of Duty.

Mr. JOHN SCRIVENER, being examined, concurr'd in Evidence with Mr. *Adams*, as to the Method of preventing the Smuggling of Tea, by reducing the Duty, and granting a Free Pardon for Offences for Running Goods, and in the Reasons why a Reduction from the 1 s. pr. Pound, is preferable to an Abatement in the 25 per Cent *ad Valorem*, and added, that it will be always in the Power of the East India Company to affect the Practice of Smuggling more or less, For if they do not bring in a Quantity sufficient to supply all Demands, Whatever Laws are made against it, Smuggling will still continue.

That he is of Opinion, that were the East India Company to supply the Trade with a sufficient Quantity, at a low Price, and 6 d. pr. Pound taken off, the Dealers would be, then, enabled to sell Bohea Tea for 4 s. pr. Pound, and Green for 5 s., which would not only ruin the Smugglers, but the Company, in Time, engross

engross all the Trade to themselves, and sell Tea to several of those Nations, who now sell to us. For then, as the Danes, Swedes, and French would not bring near the Quantities they do at present, they must be driven out of the Trade, because it would not be worth their While to go to the East Indies to supply their own Consumption.

The Witness said further, that he had been twice in China, and is sure, That if the Company would give 25 per Cent more for the fine Teas, they might secure the whole Quantity to themselves.

Then the Committee came to the following Resolutions.

Resolved,

That it is the Opinion of this Committee, that the high Duties charged upon Tea, and other Commodities, have been one Cause of the infamous Practice of Smuggling.

Resolved,

That it is the Opinion of this Committee, that the Act of Indemnity passed in the last Session of Parliament, for Persons guilty of the infamous Practice of Smuggling, was not extensive enough

for the Pardon of several Persons therein concerned.

Resolved,

That it is the Opinion of this Committee, that the not effectually prosecuting Owners of Vessels used in Carrying on the pernicious Practice of Smuggling, is another Cause of that infamous Practice.

Resolved,

That it is the Opinion of this Committee, that the Exposing to Sale the Boats, and other Vessels taken from Persons carrying on the Practice of Smuggling, by Means of which, such Boats or Vessels are often bought by the same or other Persons carrying on the same pernicious Practice, is another Cause of the Continuance, and an Encouragement of Smuggling.

Resolved,

That it is the Opinion of this Committee, that the easy Composition of the Penalties incurred by Persons convicted of Running, or being concerned with others in Running, Landing, or Disposing of uncustomed Goods, is another Cause of the said pernicious Practice.

Resolved,

That it is the Opinion of this Committee, that the Want of proper Penalties, and Punishments to be inflicted upon Officers of the Excise and Customs, for Neglect of Duty or Misbehaviour in their respective Offices, is another Cause of the said pernicious Practice.

Resolved,

That it is the Opinion of this Committee, that lowering the Duties on Tea, and other Commodities, would be one Means to prevent the said pernicious Practice.

Resolved,

That it is the Opinion of this Committee, that a general Act of Indemnity to all Persons guilty of any Crimes against the Laws for preventing the Running uncustomed Goods, (except such as have been guilty of Murder) will be one other Means to put a Stop to the infamous Practice of Smuggling.

Resolved,

That it is the Opinion of this Committee, that the Burning the Boats and other Vessels belonging to and taken from Persons concerned in the
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infamous Practice of Smuggling, will be one other Means to prevent the said Practice.

Resolved,

That it is the Opinion of this Committee, that the compelling Seamen and Seafaring-Men taken on Board any Ship or Vessel employed in Running uncustomed Goods, or otherwise concerned in Landing, or Disposing of the same, to serve for a certain Time on Board His Majesty's Ships of War, would be one other Means to prevent the infamous Practice of Smuggling.

Resolved,

That it is the Opinion of this Committee, that the giving a Reward for the Discovering and Apprehending all such Persons who have followed the infamous Practice of Smuggling, either by Sea or Land, or as Riders, would be another Means for putting an End to the infamous Practice of Smuggling.

Resolved,

That it is the Opinion of this Committee, that the Incapacitating all Persons who shall hereafter be convicted of Running uncustomed Goods, from Voting at Elections, will be another Means of preventing the infamous Practice of Smuggling.

Resolved,

Resolved,

That it is the Opinion of this Committee, that the Prosecuting such Subjects of His Majesty; who shall resort to the Ports of France, and carry with them Sums of Money, or Wool, or give them Intelligence in Time of War; as guilty of High Treason; would be another Means of preventing Smuggling.



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FURTHER REPORT

From the COMMITTEE

Appointed to enquire into the Causes
of SMUGGLING.

Read the 23d. of JUNE, 1746.

THE Committee appointed to enquire into the *Causes of the most infamous Practice of Smuggling*, and to consider of the most effectual *Methods to prevent the said Practice, and to report their Opinion therein to the House*, have proceeded further in their Enquiry, and the Evidence is as follows, viz.

GEORGE METCALFE, Esq. Solicitor to the Commissioners of the Customs, being examined with

with Regard to the Manner of Proceeding in Prosecutions of Persons concerned in the Running of Goods, and as to his Opinion with Relation to any Defects in the Laws made to prevent that Practice, said, That Informations given to the Commissioners are referred to him, and upon Examination of the Matter, he reports his Opinion, whether Prosecution should or should not be commenced, That he proceeds in all Prosecutions according to the usual Method, unless, any thing extraordinary occurs, and then he applies to the Commissioners for their Directions; And that when he is of Opinion, from Facts which appear, or from the Prevarication of Witnesses, That a Prosecution should drop, he represents it to the Commissioners, and they sometimes thereupon stop Proceedings.

And being asked the Question, he said, that such Prosecutions are sometimes stopped by Orders from the Lords of the Treasury.

He said also, That when any Person, apprehended upon a Capias, is bailed, such Bail is taken in the same Manner as in Common Actions; The Affidavid is carried to a Baron of the Exchequer, who grants a Fiat, and Bail is first given to the Sheriff, and then to the Commissioners, but that different Bail is generally given to the Commissioners and to the Sheriff:

That

That when any Person, that is in Gaol upon Capias, applies to the Commissioners of the Customs to be discharged and is refused, he then makes his Application to the Lords of the Treasury, which is referr'd to the said Commissioners, who thereupon report their Reasons for such Refusal, and the Lords of the Treasury sometimes discharge such Person, upon Composition of his Penalty.

That he apprehends, as the Law now stands, The Officers of the Customs, tho' they detect a Person in the Act of Running of Goods, have not Power to secure him, without a proper Process, and for this Reason, His Advice to the Officers, not to detain the Smugglers when they seize their Goods. And he is of Opinion, if the Officers had a Power to apprehend Smugglers taken in the Fact, several would be secured that are now suffered to escape, And that, at present, it is a Doubt, if any Officer should kill a Smuggler, who resists him in the Execution of his Duty; Whether, or no, such Officer would not be guilty of Murder.

That as the Temptation is great, which induces the Smugglers to carry on their Practices, he apprehends, that no Laws made to prevent those Practices can be effectual, unless the Officers of the Revenue have sufficient Encouragement

agement and Protection in putting those Laws in Execution; That with Regard to actual Seizures, the Share allowed to the Officers is sufficient to encourage them to be active in their Duty, but when Prosecutions are carried on for Goods not seized, as such Prosecutions are most commonly at the Officers Expence, in those Cases the Encouragement is not adequate to the Risque they run.

And he added, that Juries are sometimes extremely favourable to Smugglers, for that there are some Instances, in which, notwithstanding Smugglers have made no Defence, yet upon their Advocates imploring Mercy, the Juries have brought in Verdicts for the Defendants.

And being asked, If Officers, when they seize Goods, ever compounded with the Owners, in order to avoid carrying on Prosecutions, He said, that if an Officer makes a Composition, without the Knowledge of the Commissioners, he would certainly lose his Office, but that he (the Witness) does not know that there is any legal Penalty upon such Officers, except in the Case of Wool.

Being further examined, he said, That it is customary to give Part of the King's Share to Soldiers concerned in Seizures, and that the

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Commissioners of the Customs reward other People, when they assist the Officers, but that he apprehends, if a certain Reward was allowed, by Law, to all Persons who should secure Offenders, or their Goods, it would be of great Service.

Mr. ROBERT FOSTER, Surveyor of the Searchers in the Port of *London*, said, that he has been thirty Years in the Service of the Customs; That tho' great Quantities of Goods are run into this Kingdom, it is extremely difficult and dangerous to make Seizures, by Reason such Goods are received upon the Coast and conveyed away, by numerous Gangs of armed Men; That the Examinant has made several Seizures, but seldom or ever without the Assistance of Military Force. That when he has had Information of Run Goods being landed, and of the Road through which they were to be brought, and has designed to intercept them with a Military Force, he was necessitated to travel in the Night, and avoid all beaten Paths, to prevent being discovered, For that he has found by Experience, If People on the Road see a Custom-House Officer and Soldiers together, they suspect their Design and send Intelligence to the Smugglers, who thereupon hide their Goods, or take some other Road. That when he has met Smugglers, they have frequently resisted and sometimes

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fired; but upon being told they should have no Quarter, if they did not submit, they always surrendered their Goods and Horses, and dispersed themselves.

But he said, that Officers do not, at the same Time they seize the Goods, secure the Persons of the Smugglers, Because it is apprehended they are not impowered so to do, without a Warrant from a Magistrate, which in such Case there is seldom Time to obtain.

Being examined, as to the Effect produced by the Act, which commenced at Midsummer last, for lessening the Excise upon Tea, with Regard to the preventing the Running of that Commodity, he said, That for the first Six Months after the Commencement of that Act, he judged, from the Decrease of Informations, that a less Quantity was run than before, But that, within the two last Months, he has Reason to conclude from the Accounts he has received, that more Tea is now run, than at any Time before the Act; For that, to his Knowledge, 70 Tons have been lately brought into the Counties of *Kent*, *Suffolk*, and *Essex*, and he has been informed, by Letters, that upon the Sunday, preceding his Examination, three Vessels came round the North Foreland, Two of which landed as much Tea in the *Isle of Thout*,

Thouet, as loaded 200 Horses, and the third Vessel (supposed to have Tea likewise on Board) came higher up by the Coast.

Being further examined, he said, That Officers of the Customs are discouraged from Seizing Vessels employed in this Practice, by Reason the Prosecutions of such Vessels are always carried on at their Expence.

That they are likewise at great Expence in arresting Offenders, Eight or Ten Men being sometimes employed three or four Days in apprehending one of them, and that in many Cases the Officers are obliged to prosecute such Offenders at their own Charge, and after having convicted them, they frequently prove insolvent, and the whole Expence is lost; All which he said are great Discouragements to Officers.

That, in his Opinion, the most effectual Methods, to prevent the said Practice in general, are to pass an Act of Indemnity for all Offences but Murder; (excepting thereout, Goods seized before the Commencement of the said Act, as was done in the Act made in 1736, but omitted in the last Act) That Persons, who claim the Benefit of the said Act, should do it within three Months after the Commencement, (if in *England*) and within six Months (if at Sea,

Sea, or in any foreign Country) and the said Claims to be registred by the Sollicitor of the Customs, or the Collector of the Customs nearest to the Place where the Offender resides, and that all such Claimants should certifie their Names, and Places of Abode, and that a true Copy of such Claims should be registred by the Collector and Comptroller of the Outports where such Persons belong, and transmitted to the Commissioners of the Customs, and that all such Persons who take the Benefit of this Act, should pay all Charges, which may have arisen from the Prosecution carried on against them, before the Commencement of such Act.

That if any such Claimants are afterwards found to be concerned in Smuggling and Riding with Arms, the Officers of the Customs should, then, be empowered to use Force, and to arrest or take such Offenders without Warrant, and carry them before any Justice of Peace, and such Justice, if he finds Cause, should commit them to Prison, for Trial.

And, that such as take the Benefit of the said intended Act, and are found afterwards again to offend, should be liable to be prosecuted for former as well as latter Offences, and on Conviction to pay their Fines, and to be transported for a certain Term, as Soldiers, to some

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Garrison abroad, and the Prosecutor to be paid £. 10 by the Commissioners of the Customs, besides all Charges.

And in order to prevent Smuggling after the said Act of Indemnity, he is of Opinion, that it would be necessary to impose a Fine of £. 10 on all Buyers, Sellers, Carriers, or other Persons, in whose Custody any Quantity of Run Goods, to the Value of Twenty Shillings, (known to be such) should be found, or proved to have been in their Custody, and so in Proportion for any greater or less Quantity of such Goods, to be sued for in the Courts of Westminster, or before Justices of Peace, as well within the Limits of the City of *London* and Counties of *Surrey* and *Middlesex*, as at present may be done in any other City or County in *England*; And if the said Fines are not paid after Judgement is assigned, That then the Offender should be transported.

That all Persons who carry Arms, with any Run Goods, should be transported to some Garrison abroad, to serve as Soldiers for a certain Term, and this Offence not to be limited to any Distance from the Sea; and that it should be Felony for any Smuggler, either with Run Goods or without, to fire at or wound any Officer of the Revenue or his Assistants; and

£. 100

£. 100 Reward to be allowed for Apprehending such Offender, to be paid on Conviction, And that the Offenders Horses, Furniture, and Arms be forfeited.

That all Vessels from 15 to 80 Tons, should be registered by the Collector and Comptroller of the Customs at the Port they belong, together with the Owners and Masters Names and Places of Abode, who should be obliged to give £. 100 Security, that the said Vessels shall not be employed in Smuggling, and that a Copy of such Register should be delivered to the Masters of the said Vessels, who are to produce it to the Officer of the Customs or Commanders of Men of War, when required; and that the Collector of the Outports should transmit to the Commissioners of the Customs, every Month, an Account of all Vessels so registered.

And that every English Vessel under 80 Tons, found in any Harbour or at Sea; without a Copy of such Register; should be forfeited, nor should any English Mariner sail in any foreign Vessel, employed in the Smuggling-Trade: That if prohibited Goods are found on Board of, or any shipped out of, any Vessel under 80 Tons, arrived from foreign Parts, and having Tea, or Coffee on Board, to the Quantity of Six Pounds, and Brandy, Rum, Wine, &c. in Casks under

60 Gallons, (except for the Use of the Seamen) or found at Anchor, or hovering within a certain Distance of the Shore, or discovered to have been within the Limits of any Port; unless in Case of Necessity; Such Goods with the Package should be forfeited, whether Bulk be broken or not, and if the Value of them exceed ten Shillings, for every Ton the Vessel measures, then the Vessel in which they are found, or out of which they are unshipped, and likewise their Boats, Guns, Tackle and Furniture thereunto belonging, should be forfeited, and the Persons having Charge of them, likewise forfeit each £. 100, And all the Mariners and other Persons on Board, should be impressed for the Sea-Service; The Persons who impress and put them on Board of any of His Majesty's Ships of War, to be paid 5 £. for each Person. That Forfeitures should be sued for on Information to be given two Years after the Offence is committed, And that no Writt of Delivery should be granted for Vessels seized, upon any Account whatever, unless the Claimer gives £. 100 Security for Costs. That all Proceedings should be carried on at the Charge of the Crown, and the Officer who seizes or receives the Information should have a Moyety of what is recovered, half of which Moyety the Officer should pay to his Informer: And in Case the Vessels are destroyed or made Use of for public Service,

Service. The Officer and Informer should have a Moyety of the Produce of the Materials belonging to such Vessels, and if the Vessels are destroyed, he should be paid after the Rate of Twenty Shillings pr. Ton, for those that exceed Two Tons, and Forty Shillings for all that are under, and also his Charges; and that £. 10 Recompence should be allowed to Persons who hereafter carry to Gaol or take good Security for Offenders arrested on Capiasses, in such Counties, Cities or Towns as lye more than four Miles distant from *London*, and £. 4 for each Person so arrested, or secured in *London*, or within four Miles of it. That the Prosecutions against all Offenders, who should hereafter be guilty of Frauds and liable to Penalties, by any Law relating to the Custom or Excise, should be carried on at the Crown's Charge, both for arresting and all other Expences, which attend the Prosecutions, And that the Officer, in whose Name the Prosecution is carried on, should be paid by Direction of the Commissioners of the Customs or Excise, a Moyety of the Money which is recovered and all his Charges, out of which he should reward his Informer; and that if the Person so arrested, and carried to Gaol, does not pay the Penalty, that then the Officer, who brings the Information, should be paid £. 10 by the Commissioners of the Customs, over and above the Charges of Prosecution.

Mr.

Mr. ROBERT HANNING, being examined, said, That for 8 or 9 Years before the War with *France*, he resided at *Dunkirk*, where he was the principal Dealer with the Smugglers, and has sold Teas, Brandies, and Wines, to be run into this Kingdom, to the Amount of £. 40,000 pr. annum.

That since the present War, his Place of Residence has been, and is now, at *Flushing*, where he has sold great Quantities of Goods to Smugglers.

That not only a great Number of small Vessels, called Cutters, but likewise Coasting-Vessels, and Ships trading to *Holland* and other Parts, do clandestinely import large Quantities of Goods, and he judges from what he has seen taken on board Ships and Vessels, in the Ports of *Dunkirk* and *Flushing*, That more Goods are run into this Kingdom by Means of Ships employed in the Foreign and Coasting-Trade, than by Cutters.

That the Examinant has loaded, in the Port of *Dunkirk*, a great many of these Ships, particularly Coasters, with Teas, Brandies, Wines, and Rum, which the Coasters commonly brought Cocquets and Permits, to cover, and he has sailed such Permits on the Heads of the Casks of Brandy and Rum, in the same Manner as is done

done by an Officer at a Wharf, when such Commodities are shipped to be carried Coastwise.

That the Tea, run into this Kingdom, is purchased of the French, Dutch, Danes, and Swedes, and that the Smugglers have always Admittance into the French Ports, to purchase Tea or other Goods, particularly into *Boloign* and *Dunkirk*, which are entirely Freeports for Carrying on this illicit Trade; That of the Quantities of Tea brought into *Europe* by the Danes and Swedes, the Witness is of Opinion those Nations do not consume one Eighth Part, as he concludes, from the great Quantities which to his Knowledge they send into Germany and this Kingdom, And that he believes That Three Fourths of the Green Tea brought into *Europe*, by the several Nations trading to the East Indies, are sent hither.

Being further examined, he said, That for the Goods sold by him to be run into this Kingdom, he has always been paid in Specie, except once, when he had a small Quantity of Wool in Exchange, and that the other Dealers, in the Ports of *Flushing* and *Dunkirk*, are usually paid in Specie for the Goods they sell.

Being examined, with Regard to an Account of the Amount of Money carried out for purchasing

chasing smuggled Goods, mentioned in the Course of this Enquiry to be obtained by the Examinant for the Use of Sir *Robert Walpole*, he said, That he did obtain such an Account, and believes it was as exact as could be made up, But that as it is above twelve Years since, he has forgot the Manner in which the Computation was made, but he thinks that the Sum Total was calculated to be about £. 700,000 pr. annum, and he added, That the Practice of Smuggling has been increased since the Time the said Account was delivered in, And is positive, from what he himself has seen and the Concerns he has had, That for ten Years past, there has been upwards of £. 1,000,000 in Specie annually carried out of this Kingdom on that Account, But, that since the Commencement of the Act for lowering the Excise on Tea, less of that Commodity has been run than before, and consequently less Money has been carried out than formerly.

With Regard to preventing Smuggling in general, he said, That he did not believe any thing would entirely prevent that Practice, but a great Reduction of the High Duties.

He said, his Opinion with Relation to the preventing the Running of Tea, is, That if the present Excise was reduced 6 *d.* in the Pound, it

It would prevent the Running of that Commodity for this Summer, but not afterwards, for whenever the Price of Tea is reduced here, other Nations will endeavour to reduce it in Proportion, For that, particularly, since this Committee has been appointed, the Price of Tea in *Holland* has fallen three Pence pr. Pound, upon an Apprehension of a Reduction of the Duty. That he believes, if the 1 s. pr. Pound Excise was taken off; it would in a great Degree, if not entirely, prevent Smuggling; but he apprehends that the most effectual Method would be, to take off the whole Excise, and to lay a Duty of *equal Amount on the Consumers*, which, he is certain, would be very effectual in remedying this great and dangerous Evil, and that he apprehends, If the Running of Tea ceased, It would in a great Degree prevent the Running of Brandy.

Mr. LAUNCELOT JORDAN, who had been formerly a Surveyor of the Customs for upwards of twenty Years, being examined, said, That great Quantities of Goods are smuggled into this Kingdom by Means of Cocquets which are granted for the Conveying of Goods, Coastwise. That, in the Port of *London*, it is the Practice, when any Goods are shipped to be carried Coastwise, to make out at the Wharf a Certificate, called a Sufferance, specifying the particular

particular Quantity and Species of such Goods shipped, the Name of the Ship, and Port to which she is bound, That the Sufferance is sent to the Custom-House, and thereupon a Cocquet is granted for the allowing such Goods to be carried Coastwise.

That the Wharfingers frequently grant Sufferances, upon which Cocquets are obtained for Goods that are never shipped, and that the Ships, for which such Cocquets are obtained, used (before the present War) to sail to the Ports of *France*, and to the Isle of *Guernesey*, (an Isle which he said was a Storehouse for the Carrying on Frauds of this Nature) and, since the War, have sailed to the Ports in *Holland*, and take in the same Sort of Goods enumerated in the said Cocquets, and carried such Goods to the Port for which they cleared, as Goods that they had taken on Board, at *London*.

That these fraudulent Sufferances are always made out for Commodities, which pay the highest Duties, such as Teas, Brandy, Liquorice, Drugs, &c. and that tho' the Goods frequently brought, particularly in the Article of Drugs, are of a different Specie from those mentioned in the Cocquet, yet as the Officers, who take an Account of the same, are not competent Judges
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in those Matters, They seldom or never discover the Fraud.

That, sometimes, empty Casks are shipped and entered in the Cocquet as Sugar-Casks, and those Casks are filled abroad with 8 or 10 Canisters of Tea, or with other Goods, and when they are brought to the Port for which such Ship cleared, they being entered in the Cocquet as Sugar-Casks, the Officers never open nor examine them, tho' it is their Duty so to do.

And that Cocquets are likewise clandestinely obtained in the Outports, particularly at *Falmouth* and *Portsmouth*, and Goods under such Cocquets are run from the Island of *Guernesey*.

And he said, that he apprehended there is no legal Penalty on any Officer of the Customs for Non-Performance of his Duty, except for Breach of Trust, with Relation to East India Goods.

That in order to prevent this clandestine Practice, he said, That the Coastwaiters in the several Ports of this Kingdom should, before they are admitted into those Offices, be instructed in the Knowledge of the several Species of Goods, in the same Manner as Landwaiters are, and that by this Means they would be enabled

enabled to distinguish, when Goods are brought of a Specie different from those mentioned in the Cocquets, which would in some Degree prevent this pernicious Practice.

Captain JOSEPH COCKBURN, Commander of one of his Majesty's Sloops, said, That he has been from his Infancy concerned in the Practice of Running Goods; That he served an Apprenticeship to a Smuggler at *Rocheſter*, who was nominally a Fisherman, and that he has been concerned in almost all Kinds of rebellious and fraudulent Smuggling, and has for some Years preceding the Commencement of the French War (at which Time he went a privateering, and afterwards into his Majesty's Service) commanded several Vessels employed in these Practices.

He said, that the Goods which he had run into this Kingdom, have always been purchased with Money, as he believes all other Goods are, which are bought with Intention to be run.

That he is certain, from the Dealings he has had himself and from what he has known of the Practices of others, that there must be carried out of this Kingdom, upon Account of Smuggling, at least from £. 800, 000 to £. 1, 000, 000 pr. annum.

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To illustrate this particular, he said, That 5 Cutters (in one of which he had a Share till within these 6 Weeks) are to his Knowledge at this Time constantly employed in Running of Tea and Brandy from *Boloign* into the Counties of *Kent* and *Sussex*, That upon the most moderate Computation, they import 6 Tons of Tea, and 2000 half Anchors of Brandy every Week, which 6 Tons of Tea, supposing it costs abroad no more than £. 16 pr. hundred Weight, it amounts to £. 1920

The 2000 half Anchors of Brandy, at only 10 Shillings each, amount to

1000

So that there is carried out of this Kingdom, by the 5 Cutters, every Week upon a Medium, at least, in Specie

2920

Which pr. annum amounts to £. 151, 840.

That he likewise knows of 5 Cutters more, that are in constant Employment in bringing Brandy and Tea from *Middleburgh* and *Flushing*, And that computing the Quantity brought by these Cutters, to be equal to that brought by the others, the Sum of Money, carried out for the Goods smuggled by these Ten Vessels, must amount to £. 303, 680 pr. annum.

This,

This, he said, he mentioned as a Fact within his own Knowledge, and he is of Opinion that the Cutters, Smacks, and other Vessels in the same constant Employment, are, at least as many more, besides a great Number of Boats, and small Craft, which whenever Opportunity permits, are likewise concerned in the Practice, And, he added, that the whole Amount, great as it is, of the Goods imported by such Cutters &c. he is sure is not near equal to the Amount of what is run out of the Ships upon their Return to this Kingdom from foreign Parts, and to what are fraudulently brought in, by the Vessels employed in the Coasting-Trade and other Vessels, And therefore he apprehended, that the Money conveyed out of this Kingdom, upon this Account, must amount to at least the Sum he named before.

He was then examined as to the different Methods by which Smuggling is carried on, and the Remedies which in his Opinion would prevent the same: And the Committee have, for the Sake of Perspicuity, stated under distinct Heads the Evidence he gave as to each such Method, together with the Remedy he proposed for the Prevention thereof.

First, with Regard to the Manner in which the Cutters, Smacks, and other Vessels, and Boats, and other small Craft carry on Smuggling.

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He said, that the Cutters and Smacks commonly proceed to Sea from *London, Dover, Rye, Folkstone*, and divers other Ports, with a small Number of Hands, under Pretence of Fishing, and in the Night they take on Board great many Men, as also Merchandise and Money, and proceed to some of the Dutch or French Ports, and purchase the Goods with which they return, and by Force of Arms land, as also the supernumerary Men they took on Board as afore-said, after which the Vessel returns, with the small Number of Men, to the Harbour from whence she sailed.

That the small Craft, such as open Boats, Yawls, and little Sloops; when the Weather permits; run over from our Coasts to *Boloign, Guernesey*, and the *Isle of Man*, and several other Places, and smuggle from thence great Quantities of Goods, and likewise meet Dutch Ships near our Coasts, and purchase of them the same Sort of Goods, and run them in.

That the said Vessels frequently carry a great many Stones, Anchors, and other Weights, with which a great Number of half Anchors of Brandy are sunk near the Coast, and afterwards taken up again, as they are wanted to be sold.

That

That he apprehends, the Cause of Fishing-Vessels being employed in Smuggling, is from the Dutch being allowed to furnish the Markets of this Kingdom with Turbuts, Lobsters, and Eels, in the same Manner as our own Fishermen, and that the Dutch bring great Quantities of such Fish into this Kingdom, and to Billingsgate in particular, where he is of Opinion they don't receive, on that Account, less than £. 100, 000 pr. annum.

The Markets are thereby stocked with these Fish, and the Fishermen of this Kingdom are not able to carry on their Trade, and therefore are obliged for a Subsistence to employ their Vessels in Smuggling; That he knows several of the Masters of such Vessels at present employed in that Practice, that would willingly return to Fishing, if the Dutch were prevented from interfering, and that some Fishing-Vessels, employed in Running Goods, have since this Enquiry began, desisted from that Practice, returned to Fishing, and are endeavouring to carry on that Trade; 5 or 6 of which Vessels, he said, he had seen with Fish at Billingsgate, and was told by the Masters that they had left off Smuggling, upon Apprehension of a severe Law being to be made against it; And that he is of Opinion, that if a Duty was laid upon Fish imported by Foreigners, to prevent the Dutch

Dutch from overstocking our Markets, it would induce most of the Fishermen employed at present in Smuggling, to return to the Fishing-Trade.

The Remedy proposed by him, to prevent Smuggling, as far as the same is carried on by Cutters, Smacks, Fishing-Vessels, and other small Craft, as before described, is,

To oblige all Vessels to clear at the Custom-House of the Port, when they go out light, as they are at present obliged to do when loaded, for that, by this Means, when a Vessel clears out empty, in order to go to any other Port to take in a Loading, If she is met at Sea by a Custom-House Sloop, and upon producing such Clearance she is found to be greatly out of her Road, or has actually Goods on Board, she would then be detected, and ought in such Case to be made liable to a Penalty, as also in Case she produces not her Certificate to the Custom-House Officer.

But he said, that Fishing-Vessels ought to be expected, because they are obliged frequently to go out in the Night, and at Times when no Clearance can be made; Yet, to prevent their being employed in Smuggling, sufficient Security should be given to the Collector of the Port,
That

That such Vessel shall not be employed in that Practice, and that the Master thereof should under a Penalty be obliged every three Months to make a true Report to the Collector, of the Business in which such Vessel has been employed, and that the Collectors of all the Outports should register all Fishing-Vessels, and their Boats, Masters, and Servants, and cause them to be numbered in the same Manner as Wherries are, upon the Thames, and the Name of the Port they belong to should be affixed upon them; That by these Means the Officers may discover when a Vessel is missing, and thereupon enquire as to it's Employment, And if such Vessel is seen at any foreign Port, or at Sea, to be concerned in Smuggling, it will then be known, by the Number, to what Port she belongs.

That he apprehends, it would be likewise necessary to register and distinguish, by Number, all small Craft in the Outports, to prevent their Running over to *Boloign, Guernesey, &c.* in a Manner before mentioned, and upon their being missed, or reasonable Suspicion of their being concerned in Smuggling, the Collector of the Port should oblige the Master of the Vessel to give an Account of it's Employment.

This, he said, he apprehended would be of very little Inconvenience, for if the Vessel was
honestly

honestly employed, it might easily appear, If otherwise, it would certainly be detected.

That he is of Opinion, all Cutters, or other Vessels, not deemed Fishing or fair Trading-Vessels, should be restrained from Carrying Fire-Arms, and that no Cutter or other small Vessel (except those employed in the Cod, Herring, and other Fisheries, which require a great Number of Hands) should be allowed to carry more than six Men, upon Forfeiture of the Vessel, For that he is positive no Cutter or Vessel of that Size requires more than six Hands to navigate her, nor will the Profits of the honest Trade of such Vessel maintain a greater Number. That if every Vessel, offending herein, was liable to be forfeited, and the Informer to be allowed a Moiety, He apprehended very few Masters would venture to take out more Hands than are allowed, by Reason of Informations of his Men, or others that should see him, and the Inducement to inform. And that the Depriving them of their Fire-Arms and Men, he imagines, he imagines, will render them incapable of Resistance, and will have great Effect in preventing Smuggling.

In order to prevent Sinking of Brandy near the Coasts, in the Manner before mentioned, he said, he apprehended no Vessel or Boat should

should be permitted to carry Slung-Stones, Shotts, or any other Weights, on Forfeiture of the Vessel, and that no Vessel or Boat, under fifty Tons, should carry any Anchors more than what are absolutely necessary, The Fishing-Vessels, in this Case, he said, must be excepted, for they cannot carry on their Business of Fishing, without a Number of small Anchors; But then, they should be obliged to make a Clearance for such Anchors, and be liable to give an Account of them, if they are not on Board when the Vessel comes back.

Nor should any Cutter, Smack, or other small Sailing-Vessel, be allowed to carry a Boat more than fifteen Feet in Length and six Feet and a half in Breadth, under a Penalty, unless the Owner gives the Collector a satisfactory Account, with Regard to the Use of such Boat; He said, that those Vessels, at present, make Use of Boats which will carry three hundred half Anchors of Brandy, and will soon land the Cargoes of such Vessels, Whereas if their Boats did not exceed the above Dimensions, they could not land Goods in bad Weather, and when the Weather did permit them, they would be a much longer Time in getting out a whole Cargo, and this would give the Officers of the Customs frequent Opportunities to make Seizures, And that the Penalty should extend to every Cutter or small Sailing-

Sailing-Vessel, having a Boat in Tow exceeding the above Dimensions, For, without these Provisions, the Cutters would take such Boats in Tow, and pretend they did not belong to them.

That, as all Cobles, Hovelings, and Fishing-Boats, and others that go off to Ships, under a Pretence of piloting them into Ports, do, in his Apprehension, smuggle Goods out of such Ships: He apprehends, if any Goods are found on Board such Vessels or Boats, the Crew and every other Person concerned therein should be obliged to serve His Majesty. And that the Officer or Informer should be rewarded for apprehending every such Sailor.

That a Penalty ought to be laid on all Officers who screen Offenders, of which, Part should go to the Informer, which, he said, would make every Officer do his Duty.

And that he is of Opinion, that an Act of Indemnity for all past Offences, would highly contribute to put a Stop to Smuggling, in which Act all Debtors to the Crown should be included, by Reason several of them are abroad, and have no other Means to subsist, but by encouraging and carrying on the said Practice, which, if it was once prevented and the Offenders pardoned, such Debtors and other Persons

sons would ; as they are most of them very good Sailors and Fishermen ; employ themselves in the Herring, Mackrel, and other Fisheries carryed on by small Boats with four, five, or six Men ; and that he is convinced, that the Persons that enter upon this Trade would, in such a Case, make an Addition of one thousand Sail of such Boats, whereby this advantageous Trade would be prodigiously extended, and as no other Nation can cure Herrings so cheap as the People of this Country, we then should be enabled to supply the Plantations abroad, and several Places in the *Levant*, with Herrings at a cheaper Rate than they can be supply'd with any other Kind of Provision.

With Regard to the Practice of Smuggling carried on by British Ships trading to foreign Parts, He said, that great Quantities of Goods are run into this Kingdom by Colliers, Corn-Ships, Packet-Boats, and other Vessels trading to *Holland* and the East Country ; That, upon the most moderate Computation, the Vessels employed in this Trade are, at least 1500 Sail per annum, And he scarcely ever knew one of them return without some prohibited and High Duty Goods, which Goods are conveyed on Shore out of such Ships, by the following Methods, *viz.* By Boats and Fishing-Vessels who frequently meet them near the Coast, and by

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Boats

Boats and Wherries in the River Thames, when Ships bound to *London* come a little Way up into that River, And by Ships putting into Harbours, Roads, and Rivers, where they lie, under Pretence of waiting for Orders; (in which last mentioned Case, he said, it is not customary to put Officers on Board). And by Ships putting into the Outports, and landing Goods, on Days which are *Holydays*, and the Officers are absent; And the Witness said, he himself had been concerned in Running Goods by the same Methods as above mentioned; and particularly by the Method first mentioned, he has run great Quantities of Brandies, Teas, and Spanish Liquorice, and of the latter Article near a Ton at one Time.

That the Vessels, chiefly concerned in this Practice, are the *Holland* Traders, whose Sailors have very small Wages, but are allowed to take out Money to purchase Goods in *Holland*, which they bring back and run: That, to his Knowledge, several of these Vessels do not make above three Voyages in a Year, and that as three Voyages in a Year to *Holland*, in a fair Way of Trade, are not sufficient to maintain the People employed, That single Circumstance is a convincing Proof, those Vessels must have been employed in a Contraband-Trade.

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The Remedy, which in his Opinion would prevent this Method of Smuggling, is as follows :

He said, that in order to prevent Smuggling in the River Thames, he thinks a Sloop should be stationed at the Nore or Holy Haven, and that to the Command of this Sloop, all Masters of Ships homeward bound to the Port of *London* should be obliged to make Reports of their Cargoes, and to deliver all the Papers granted at the Custom-House abroad, and their Bills of Lading, and that such Masters should be obliged to make Reports again, when they come to *London*, which Reports he apprehends would render it almost impracticable to take Goods out of such Vessels in the River, without being detected; For that it must appear by the Report at *London*, whether the same Goods are on Board as when the Report was made at the Nore, and that the making of such Reports would be attended with very little Inconvenience to the Masters of the Vessels, and the Expence of stationing a Sloop would be very inconsiderable, compared with the Advantage attending it.

And to provide against Goods being conveyed out of Ships by Boats and Fishing-Vessels, he said, That if such Boats and Fishing-Vessels were

were registered, in the Manner before described, he is sure it would prevent their being employed in such Practice. He is likewise of Opinion, That all Vessels which put into any Road, Harbour, or River, on Pretence of waiting for Orders, should have Tidewaiters on Board whilst they stay, by which Means, he said, the Running of Goods out of such Ships would be effectually prevented; And when Ships and Vessels arrive from foreign Parts, in any of the Outports, on Holydays, he proposed that the Master should be obliged to make a Report of his Cargo to the Chief Officer of the Port, within 24 Hours after such Arrival; And likewise to deliver to him, within that Time, all the Papers from the Custom-House abroad, under a Penalty; which he is of Opinion would in a great Measure prevent the Opportunities that are taken to run Goods on such Holydays, in the Officers Absence; He said, it would likewise be necessary, that the Owner, of Goods imported, should, within two Months after Report thereof, make Entries of such Goods, Otherwise that the Goods should be sold to pay the Duties; His Reason for this was, Because when Goods lie on Bord of Ships as Warehouses, it is an Opportunity for, and an Encouragement to, Smuggling. That, if when Officers seize any prohibited Goods found on Board any Ship, they were likewise impowered to seize two of
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the best Mariners, and send them to be employed in the Fleet, He apprehends it would greatly intimidate Ships Crews, and perhaps occasion them to refuse being concerned in Running Goods; And in Case Resistance was made in the Execution of his Power, that the Captain of the Vessel should be made liable to a severe Penalty, and the Mate obliged to serve His Majesty; And that it would also be proper to allow a Reward to the Officers for every Mariner they seized, and to subject such Officer to a Penalty for Neglect.

With Regard to the Method of Running Goods into this Kingdom, by Means of Coast-ing and other Vessels, his Evidence was as follows:

He said, that great Quantities of Goods are fraudulently imported in such Vessels, under Sanction of those very Laws which have been made to prevent this pernicious Practice; That as this Matter, he said, was very extensive, and that as there are various Contrivances to run in, different Commodities, Such as the fraudulently obtaining of Permits, which are sent to the Coasts to meet and cover Goods; the bringing in of Goods by Suffrances, Cocquets, and Transfers, clandestinely obtained; The false Entry of one Sort of Goods for another; And
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the best Mariners, and send them to be employed in the Fleet, He apprehends it would greatly intimidate Ships Crews, and perhaps occasion them to refuse being concerned in Running Goods; And in Case Resistance was made in the Execution of his Power, that the Captain of the Vessel should be made liable to a severe Penalty, and the Mate obliged to serve His Majesty; And that it would also be proper to allow a Reward to the Officers for every Mariner they seized, and to subject such Officer to a Penalty for Neglect.

With Regard to the Method of Running Goods into this Kingdom, by Means of Coast-ing and other Vessels, his Evidence was as follows :

He said, that great Quantities of Goods are fraudulently imported in such Vessels, under Sanction of those very Laws which have been made to prevent this pernicious Practice; That as this Matter, he said, was very extensive, and that as there are various Contrivances to run in, different Commodities, Such as the fraudulently obtaining of Permits, which are sent to the Coasts to meet and cover Goods; the bringing in of Goods by Sufferances, Cocquets, and Transfers, clandestinely obtained; The false Entry of one Sort of Goods for another; And the

the particular Opportunity for such Entries in the Ports of *Scotland*, by exporting Tobacco, and other Goods, to receive a Drawback, and afterwards running them in again; And also by the Contrivance and Corruption of the Officers of the Customs; He said, he would therefore give an Account of the fraudulent Manner in which several particular Commodities are brought in, in which Account, all Methods he ever knew; whereby such Transactions in general are carried on; will be pointed out, And that all the Frauds he speaks of, to have been committed by himself, are since the Year 1738.

First, as to the Goods brought into this Kingdom by Means of Permits fraudulently obtained, he said, the Practice is this: When a Merchant has imported a large Quantity of Brandy, French Wine, or other Commodities, after Duty is paid, and an Entry of the particular Quantity is made in the Custom-House Books, in the Name and as the Stock of such Merchant, a great Part of such Commodities may be disposed of to be consumed near such their Place of Entry; or may be sent by Land-Carriage into Inland Counties, and the Stocks of such Merchant being thus decreased, it is a constant Practice to take out Permits for the Quantity so decreased, on Pretence of sending such Commodities Coastwise, and these Permits are made

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Use of to cover the like Quantity of the same Commodities from abroad.

That Permits are obtained in the like Manner, to cover Tea, For when a Person, who has a large Stock in the Excise-Books, sells several Parcels with which no Permits are required, Permits are taken out for such Parcels, and disposed of, as before mentioned.

He said further, that he has gone to *Dunkirk*, and taken on Board 12 Pipes containing 2040 Gallons of French Brandy, and cleared at the same Time to *North Bergen* in *Norway*; In order to prevent the Seizure of such Brandy, if; when he came near the Coasts of this Kingdom; he had been met by Sloops employed in the Service of the Customs: That he sailed up the River Humber, where a Keel, sent from *York*, met him with Permits to cover such Brandy, which Keel was cleared by a Merchant of *York* who obtained Permits to convey to *Gainsborough* a Quantity of French Brandy equal to that which the Witness had on Board, tho' the Brandy so permitted was never put on Board such Keel, and that those were the Permits brought to the Witness: That this Keel met him at the Confluence of the River *Onze* and *rent*, and there took the Brandy on Board, and the Witness nailed the Permits on the Heads of
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of the Casks, and from thence the Brandy was conveyed to *Gainsborough*, and there properly taken into Stock in the Custom-House Books, as if it had been actually brought from *York* and paid the Duty; And that he had a Profit by this Brandy of £. 250 per Cent.

That he had likewise, at *Flushing*, taken on Board several Chests of Tea, marked and numbered in the same Manner as if they had been sold at the East India Company's Sale in *London*, and cleared from thence to *North Bergen*, for the same Reason as before mentioned; That he sailed with these Teas into the River Humber and landed them at a Place appointed, and there received Permits, which were sent by a Merchant to cover the Tea.

That he had likewise, since the War with *Spain*, several times taken on Board at *Dunkirk* 20 or 30 Butts of Mountain or Port Wines, and cleared for *North Bergen*, as before, and sailed into the River Humber, and always put a Person on Shore with a Letter to a Merchant at *Hull*, to acquaint him with the Quantity and particular Sorts of Wine he had on Board, which Merchant took out a Suffurance at *Hull* to convey such Quantity of Wine to *Rawcliff*. Tho' he shipped no such Wines, But sent a Keel with the Suffurances to the Witness, and into this

this Keel the Wines were put in the Night, and under such Sufferances conveyed to *Rawcliff*; The Witness said, the Reason for taking out these Sufferances, to and from *Hull* up into the Country to *Rawcliff*, was, because in that Case a Sufferance is more easily obtained, For when it is granted at the Custom-House, as it is apprehended there can be no Fraud in conveying Wines from a Port to an Inland Town, Notice is seldom or ever taken whether such Wines be shipped or not, whereas when a Sufferance is required to carry Wines Coastwise by Sea, a particular Account is frequently taken, Therefore the carrying such Wines to *Rawcliff* was merely for the sake of bringing them into the Kingdom, For it was impossible to dispose of them there; But after proper Entries, they were conveyed back to *Hull*, and from thence disposed of to several Places.

The Reason, why Port Wines were purchased at *Dunkirk*, he said, was, That they were taken by the Sebastian Privateers from English Merchants, and that as there was little or no Market for such Wines in *Spain*, they were brought to this Port, and disposed of to Smugglers, And he said, That when the Officer, who resided at the Place where such Wines were landed, has suspected a Fraud, and has; notwithstanding the Sufferance; obliged the Owner to swear,

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That

That such Wines were Part of a former Entry; In such Case the Witness has (in order to evade this Oath) mixed, with the Wine he has imported, a Gallon of Wine which has actually paid Duty and had been Part of a large Entry, and upon this Evasion, Persons have sworn; as they apprehended; without incurring the Guilt of Perjury.

With Relation to the Running of Goods, by Means of Cocquets clandestinely obtained, he confirmed the Evidence given by Mr. *Jordan*, as to this Matter, and added that he himself had great many times taken out at Sir *Charles Cox's* Wharf, in the Port of *London*, Sufferances, Cocquets, and Transfers, to convey from thence to the Port of *Hull*, large Quantities of British Brandy, Raisins, Starch, Prunes, Hops, Vinigar, Oranges, Lemmons, and Sweet Meats. That he took none of these Commodities on Board, but proceeded to *Dunkirk*, and there shipped a Quantity of French Brandy equal to the Quantity of British Brandy, in such Cocquets, and as many Casks of Spanish Raisins, as were equal in Number to the Casks of Sugars, Currans, and Raisins, Also the like Quantity of Prunes, Starch, Hops, Vinigar, Oranges and Lemmons, and the same Quantity of Confectionary Wares, as were specified in the Transfers; That he proceeded with these Goods to the Port of *Hull*,
and

and landed them under Cover of such Cocquets, Sufferances, and Transfers, as Goods that were actually shipped at *London*; And that he had likewise taken out Cocquets in the same Manner to convey Brandy, from the Port of *London* to *Rochester*, and has thereupon taken in Brandy at *Dunkirk*, in the Manner before described.

As to the Shipping at *Dunkirk* and Importing to *Hull*, Casks of Raisins only, instead of Raisins, Sugar and Currans, mentioned in the said Cocquets; He explained that particular, by saying, That if he had applied for a Cocquet, to carry Coastwise a large Quantity of Raisins, it might have caused a Suspicion that he intended to commit some Fraud, therefore he took out a Cocquet for a certain Number of Casks, containing Sugar, Currans, and Raisins, without specifying the particular Number of Casks of each Sort, and he took in a Cask of Sugar at *London*, and bought a little Cask of Currans at *Dunkirk*, where he took in all the Rest, which were large Casks of Spanish Raisins, amounting to about Ten or Twelve Tons.

He said further, That there is likewise another Method of bringing in French Brandy, which is frequently done by actually Shipping great Quantities of very low British Brandy, some Part under it's true Denomination of French Brandy.

Brandy, and Clearance being made to some other of our Ports, the Vessel proceeds to *Dunkirk* or some Port in *Holland*; where such Brandy is unladen; and takes on Board a Quantity of French Brandy, equal in Quantity to the British taken out, and thereupon proceeds to the Port she cleared for. The British Brandy left behind, after being strengthened by Mixture with a great deal of strong French, is disposed of at an easy Rate to Light Colliers, which trade to *Norway* for Timber, and is by them sold there. This Practice, the Witness said, he has seen, and did intend to follow, if Running of Brandy by other Means was put an End to,

That he had obtained Transfers in the Port of *Rochester*, in order to carry Quantities of Apples and Pears Coastwise, of which he took few on Board, but proceeded to *France*, and there shipped the Quantity mentioned in the Cocquet, and proceeded to the North of *England*; This Fraud, he says, arises from there being no Officers to see the Apples and Pears measured in.

That he has known Vessels take on Board Kentish Hop-Bagging, marked and number'd in the usual Manner, and obtain Transfers in the Kentish Ports to carry Hops Coastwise, which Vessels have proceeded to *Flanders*, and filled those

those Bags with Flemish Hops, and have, under such Transfers, carried them into the North Ports.

He said, that this Practice of obtaining Cocquets, Transfers, and Sufferances; In order fraudulently to run Goods from abroad; is chiefly carried on in the Port of *London*, and that Opportunity arises from there being too small a Number of Coastwaiters in that Port, which (tho' it is their Province) renders it impossible for them to see all the Goods shipped, for which Cocquets, &c. are taken out.

He said further, That he had been informed, that Beans, when dear in this Kingdom and cheap abroad, are frequently run into the Outports, in the following Manner. Masters of Ships (from whom the Witness said he had his Information) measure into a Vessel, in the Presence of an Officer, perhaps a hundred Quarter of Beans, and in the Night Time, if the Vessel lies in the Stream, fifty Quarters are unloaded into a Lighter, which conveys the same away and brings them again the next Day, as an additional Quantity, and these are again measured into the Vessel in the Presence of the Officer, and this Practice is continued till 4, or 500 Quarters are supposed to be put on Board such Vessel, tho' in Reality there are no more than

100 Quarters; and if a Vessel lies near enough to the Shore to be loaded out of a Grainery, the Beans are emptied out as before in the Night, and measured in again the next Day. That a Cocquet is granted to carry Coastwise the Quantity supposed to be measured into the Vessel, and the Vessel thereupon proceeds to *Holland*, and makes up the Quantity allowed by the Cocquet, and brings them to the Port for which the Clearance was made.

With Regard to the false Entries of Goods, he said, that as several Sorts of Goods, of the Produce of one Country, are subject to high Duties, and the same Species of Goods, if the Produce of another Country, are subject to inferior Duties, It is a common Practice to enter one Specie for the other; This Practice, he said, he knew to be true, and has been concerned in himself, of which he gave the following Instances; That French Kid-Skins, which are liable to the Payment of a heavy Duty, were carried from *Roche*, *Bordeaux*, and the *Isle of St. Martin*, to *Hamburgh*, *Rotterdam*, and *Amsterdam*, and from those Places were imported into this Kingdom under the Denomination of, and paid Duty as, German Kid-Skins; and that Holland and Flemish Linnen were imported from *Hamburgh*, under the Denomination of, and paid Duty as, German Linnens, whereby the Reve-

ue was defrauded of a great Sum of Money; And, he added, that false Entries of these Kinds are the more easily made in the Outports, as few of the Officers there are Judges of the Species of Goods.

He said likewise, that he had imported to *Leith, North Berwick, Dunbar, and Haymouth, in Scotland*, great Quantities of prohibited and high Duty Wines, under false Denominations, and that it is the Practice in these Ports for the Captain of the Ship to report, that an Entry is made at the Custom-House, and the Duty paid for the Goods, and no Enquiry is made, whether such Report be true or false.

He said, that he had imported into these Ports, since the Prohibition of Trade with *Spain*, large Quantities of Mountain and other Spanish Wines, and reported the same as *Lisbon*, whereupon they were entered as such; That these Wines were afterwards sent to *London* and other Ports, as Spanish Wines, under former Entries, before the War commenced, or as Part of some that had been seized.

The Witness explained himself, with Regard to the Entries of seized Wines, and said, that in such Seizures there are commonly great Frauds: for when a Merchant in *Scotland* has taken out
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Dispatches to carry Coastwise as much Spanish Wine as he has entered in the Custom-House Books, to have paid Duty for; Then, to obtain a further Stock, he will import a Ship-Load of such Wine, and agrees with an Officer for a Gratuity, who makes a collusive Seizure; Upon which a Sham Law-Suit is commenced, and the Merchant petitions the Commissioners to compound, and upon the Officer's pretending that there may be some Difficulty in proving the Legality of the Seizure, they commonly allow the Merchant his Wines, upon Payment of the Duty and the Expence of the Seizure; That this Wine is sold, and sent by Land-Carriage for Inland Consumption, and a like Quantity is brought, and either run or entered as Lisbon, and afterwards Dispatches, to carry the same Coastwise, are taken out under the Entry of the seized Wine. That the Witness said, he had been concerned in several of these collusive Seizures, and had been told of others by Persons concerned, and that he has great Reason to believe Seizures are made in *England* in the same Manner.

That before the Commencement of the French War, (since which Time the Witness has not been in *Scotland*) there were large Quantities of French Wines imported into the said Ports, Part whereof were reported and entered, and paid

paid Duty as French Wine, and other Part as Port Wine, and such of the said Wine as was entered under it's true Denomination was sold, and sent by Land to the several Places in *Scotland*, and into *England* as far as *York*, and Coast-Dispatches were taken out under the said Entries, to send Coastwise such of the said Wine as was entered under the Denomination of Port Wine, to *London*; And he added, that he is of Opinion, that all the Spanish Wine brought from *Scotland*, by Coast-Dispatches, has been clandestinely imported in the Manner before mentioned, and all the French Wine brought from thence has paid only a Port Wine Duty.

He proceeded to give an Account of the Practice of Entering Goods for Exportation, and afterwards Running them in again, and as far as the said Practice related to Tobacco, he said, that he had come to the Knowledge of the said Practice, from Acquaintance with Persons concerned therein, whom he had seen commit the Frauds. That a Merchant, when he imports a Ship-Load of Tobacco from the Plantations, pays the Duty for the same, upon which an Entry is made; That afterwards he ships Part of the said Tobacco, and Clearance is made for a foreign Port, but instead of proceeding to such Port, this Tobacco is run into some Part of *Scotland*, and when it is landed, no Officer can

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seize it, as it may be proved to be Part of the Tobacco formerly entered; Then the Vessel carries a forged Certificate to the Port from whence she cleared, of such Tobaccos being landed at the foreign Port she cleared to, and thereupon the Drawback is allowed; which Practice is repeated till the Merchant has received the Drawback for all the Tobacco imported: whereby the Government is defrauded of the Duty, and the Tobacco actually consumed in this Kingdom: And that, in the same Manner, several other Sorts of Goods are shipped, in order to receive the Drawback, and are afterwards run in again.

With Regard to the Collusions and Connivances of Officers, besides the Evidences before stated relating to collusive Seizures of Wine in *Scotland*, He said, that he had several Times bought Permits of Excise-Officers, in the Out-Ports, to cover smuggled Brandy and Tea, and that once in particular he gave an Officer in one of the Outports, fifty Guineas for a Permit to cover a great Quantity of Brandy and Tea, which he had run.

That for several Years past he had known a Ship of the Burthen of 300 Tons trade constantly every Year to the *Levant*, which Ship has commonly imported about 200 Tons of Currans,

rans, and 100 Tons of Linseed, and that as Linseed pays no Duty, and Currans pay a heavy Duty, Report has been made to the Custom-House for 100 Tons of Currans, and 200 Tons of Linseed, which Linseed is carried away without any Account taken of it's Weight; That the Currans are contained in Bags, and several large and small Casks; and in the Report, that the Number of Casks and Bags are specified, but not truly, with Regard to the Size of the Casks; For in the said Report a greater Number of the small, and a lesser Number of the large Casks are specified, than what are actually on Board, and in order to reduce the Weight of the 200 Tons of Currans to the 100 reported, half of the Currans in the Bags are put into other Bags, and landed in the Night by the Concurrence of the Tidewaiters, and that this is generally what is called the Captain's Benefit, and when the Casks come to be weighed at the Wharf, the Officers at the Scale set down Casks weighing 17 or 18 Cent Weight, at 4 or 5 Cent Weight, in order to make them answer to the Report, and he said, that by this Ship the Crown is defrauded of at least £. 1500 per annum.

With Regard to the Remedies to prevent the aforesaid Practice, he said, that the Penalty on Persons convicted of fraudulently obtaining Permits,

mits, should be increased, by Reason People are induced to run the Hazard of incurring it, from the great Profit attending Smuggling under such Permits; That he thinks likewise, that no Wharfinger should be allowed to make out Sufferances, but that the Merchant who ships Goods, should be obliged to make out a List of the Goods intended to be shipped, and deliver it to one of the Coastwaiters, and that such Coastwaiters should be obliged to see the Goods put on Board; And that if a Coastwaiter suspects any Fraud by relanding any Brandy or Wine, he should be impowered to take Samples thereof when shipped, in order to send them to the Port to which the Ship is consigned, to compare the Brandy and Wine brought thither.

He is of Opinion, that sixteen Coastwaiters are necessary in the Port of *London*, especially in Time of Peace, to see that all the Goods, for which Sufferances are taken out in the Port, are shipped.

And that it would likewise be of Service to prevent false Entries, and the making Use of former Entries to cover smuggled Goods, as well as to prevent other Frauds; That all Oaths relating to the Payment of Customs, and to the Importation and Exportation of Goods, should be made by real Owners, Importers, or Exporters
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of the Goods; And that the Oath of Sailors, or Servants of Merchants, should not be admitted, as is at present the Practice; In this Case, he said, he believed a great Number of People would not take a false Oath themselves, who at present hire and employ Persons, that are little aware of the Heinousness of such a Crime, to make such Oaths for them.

And in order to prevent Collusions, between Merchants and Officers; That the Officers (particularly those in the Outports) should be removed every half Year or oftner; For that the Officers, by long Residence, contract a Correspondence with the Merchants, very detrimental to the Revenue. And that if the Officers in the Port of *London* could be conveniently removed in the same Manner, it would likewise prevent such Combinations in that Port.

That, in his Opinion, the most effectual Method to prevent the clandestine Importation of Beans, in the Manner before mentioned, would be, to provide, that when any Beans are measured into a Vessel, and it is pretended that more are to be measured the next Day, the Officer and Meter should lock down the Hatches, which would prevent the unloading such Beans in the Night.

And

And to prevent the Smuggling of Tobacco, after it is shipped under Pretence of Exportation, In order to defraud the Government of the Drawback; he said, that every Merchant should be obliged, before he receives the Drawback on his Debenture, to produce or to give proper Security, for the producing an Affidavid of the Master and Mate of the Ship, sworn before a Notary Public, of the Landing of such Tobacco abroad, as also a Certificate of the Person, to whom such Tobacco was consigned, of his having received it.

This, he said, he was of Opinion would in some Degree prevent this clandestine Practice; But that he apprehended the most effectual Method would be, to provide that the Officers of the Excise should examine into and take an Account of the Stock of all Importers of, and Dealers in, Tobacco, as likewise of the Stock of all Dealers in Snuff; and by this Means the Quantity of Tobacco consumed would be known, as would also the Means by which each Person's Stock was increased or decreased; That in such Case, he said, he apprehended Merchants would not venture to reland the Tobacco after it was shipped for Exportation, by Reason of the great Difficulty that must attend the Disposal of such Tobacco, and that this would be of very little Trouble to such Dealers.

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That, in his Opinion, it would prevent the clandestine Importation of Wine, If the Excise-Officers were likewise to take an Account of the Stock of all Dealers in Wine; and that the Merchants might have no just Reason of Complaint, the Officer should not dip when any Wines are upon the Fret, and when Wine is in Draught it should be gauged by dry Inches, or by Sounding the Casks, as is done by Ale and Beer.

Besides these Accounts, which the Witness gave with Relation to the fraudulent Smuggling of Goods into this Kingdom, he mentioned several Particulars relating to the Frauds committed in the Carrying Coals Coastwise, and in the Exportation of such Coals and other Goods; and as he mentioned this Matter of his own Knowledge; Your Committee think them deserving of Notice, and therefore represent them to the House.

He said, that he apprehends that the Revenue is defrauded of great Part of the Duties upon Coals carried Coastwise and exported, and that this Fraud arises from there not being any Officer present at the Port to see such Coals measured into the Vessels, but that a Cocquet for Carrying Coastwise, or a Clearance for Exportation is granted at the Custom-House; upon the

the Report of the Master and Fitter of such Vessel; of the Quantity shipped, without any Enquiry whether such Report be true or false; That he himself has cleared at the Ports of *Sunderland* and *Newcastle* for one Third less than he had on Board, and carried such Coals Coastwise to *Rocheſter*, where when the sworn Meter of the Town came to measure them, he divided with him the Duty of the one third Part of the Coals on Board, not allowed by the Cocquet, who, thereupon reported to the Custom-House agreeable to the Cocquet: That, from what he had seen himself and had been told by great many Masters of Coal-Ships, he believes that this Fraud is practiced in the Loading of every such Ship, For, he said, the Opportunity is so favourable that a Man, though intentionally honest, is not able to resist the Temptation. That an ordinary Ship-Load is about fifteen Keel, (every Keel is about eight Newcastle Chaldron, and each of those Chaldrons are seventy two Bushels) and the common Practice is to report to the Custom-House Ten Keel, and there is then no Way to discover the Fraud (as an Officer is not present to see the Coals shipped) but by unloading the Vessel, which is seldom or never done, and the Masters scarcely ever report less than two Thirds of their real Quantity, For if they do, by the Burthen and Bulk of the Vessel, the Fraud will

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too visibly appear, which being taken Notice of by an Officer might occasion an Enquiry and Admeasurement.

That in order to prevent this, he said, that proper Officers should be obliged to attend at every Staith or Shipping-Place, and if a Ship lies out in the Stream, and is loaded by Keels and Boats, every such Keel or Boat should bring a Certificate from the Fitter of the Ship, what Ship the Coals are to be put on Board, which Certificate should be delivered to the Officer in Attendance, and by him transmitted to the Custom-House every Day, and that if a Vessel is under a Shoot to load, then the Officer may see the Quantity put on Board, and make a Certificate thereof himself to the Custom-House, And that by these Means the Quantity will be known that every Vessel takes on Board, and when a Cocquet is taken out for Conveying Coastwise, or a Clearance for Exportation, Duty will be paid accordingly, and the Quantity will be mentioned in such Cocquet or Clearance.

He said, that very lately, to his Knowledge, a great Fraud had been committed with Relation to the Exportation of Rhubarb; that a certain Jew in London bought at the East India House 10,000 Founds Weight of Rhubarb, one half of which was good and was disposed of

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for Consumption in this Kingdom, and the other half (most Part of which being decayed and hollow) was entered for Exportation, and in order to make it weigh as much as the original Quantity bought, the Cavities of such Rhubarb were filled up with a Paste made of a Root called Rhapontick, and that by this Means the Drawback was received as for 10, 000 Pounds Weight of Rhubarb, and he added that several Persons are now proceeding in the said Practice.

That this Rhapontick, he said, is a Root so very much resembling Rhubarb, Tho' vastly inferior to it in Value, that it is very common to export the same as Rhubarb and receive the Drawback; That this Fraud arises from the Ignorance of the Officers with Relation to the different Species of Drugs, and that therefore proper Persons should be appointed to take Care in this Particular.

He said, that Frauds are frequently committed in the false Package of Goods, and gave the following Instance of the same.

That about the Year 1741, a Merchant imported a large Quantity of Rice from *Carolina*, to the Port of *Hull*, for which he paid the Duty, and afterwards the same Merchant entered for Exportation a great Number of Casks,

as containing only Rice, when in Fact there was only half a hundred Weight of Rice at each End of such Casks, and in the Middle of them there was packed, with Hay and Straw, about three hundred Weight of Shot; and as it was contrived every Cask should be of about the Weight of a common Cask of Rice, The Officer weighed them as such at the Wharf, without any Suspicion, and a Debenture was granted thereupon, and a Clearance was made to *Rotterdam*: That the Ship was taken by a Spanish Privateer, and carried into *Dunkirk*, and the Witness conveyed to that Port a Person employed to ransom her, and there saw some of the Casks opened, and so became acquainted with the Fraud: That, after the Ship was ransomed, she proceeded to *Rotterdam*, and a Certificate was obtained of the Landing of so many Casks of Rice, whereby the Government was defrauded of the Drawback for four times the Quantity of Rice really exported, and of the Duty payable upon the Exportation of Shot, And that he has been told, by Persons concerned, that this is a common Practice.

That Frauds of this Nature, he said, are owing to the Neglect or Connivance of the Officers, in not examining the Casks to see that no other Goods are contained in them besides what are entered, And he apprehends, In order to

to prevent this Practice, a high Penalty should be inflicted upon Merchants convicted of this Offence, a Moiety whereof should go to the Informer, which would be a great Temptation to the Servants of such Merchants to discover such Practices; And that if a Merchant should, in order to screen himself from the Penalties of this Sort, employ a Broker or other Person, (as is frequently done at present) such Broker should in such Case be liable to the said Penalty.

He added, that great Sums of Money are fraudulently obtained, as Bounties upon large Quantities of Corn, under Pretence of Exporting the same, Tho' very little of such Corn is actually shipped, Which Fraud is committed in the following Manner; That when a Vessel, which is to take in Corn for Exportation, lies in the Stream, a certain Quantity of Corn, (suppose it 600 Quarters) is actually brought from the Shore in Lighters, and measured into the Ship in the Presence of an Officer; that afterwards, in the Night-Time these Lighters return empty to the Ship, lie along side of her, and in an Hours Time 200 Quarters are thrown out of the Ship into the Lighters, and by them carried away to the Shore; That the next Day these Lighters return with the Corn, which is measured in the Presence of an Officer, as an addi-

Additional Quantity; The next Night as much more is unloaded, and in the like Manner brought back to the Ship again, and by this Means a Clearance and Debenture is obtained for 1000 Quarters, when only 600 are really shipped; That when the Ship arrives at the foreign Port she cleared for, a Certificate of the Landing of 1000 Quarters being obtained, the Drawback is thereupon allowed; That if an Officer discovers this Practice of unloading the Ship in the Night, the People on Board immediately pull a Plug out of the Bottom of the Vessel, begin to pump and pretend that she leaks, and that they are obliged to throw the Corn out to prevent it's being spoiled.

That, this Fraud is in like Manner practiced by Ships that lie so close to the Shore as to load out of the Granaries, That when they reland, it is always when the Ship is Water born, that they may, if discovered, make Use of the Plug as before mentioned; That he has seen this Fraud actually put in Practice, and has been informed of it by several Captains of Ships, who had frequently done it, and if the Officer has any Suspicion of this Fraud, he has no other Way of Detection than by unloading the Vessel, which, as it is a great deal of Trouble, is seldom put in Practice.

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The best Method, in his Opinion, to prevent this Fraud, would be for the Officer and Corn-Meter to have joint Locks upon all Places where the Corn may be conveyed out, and if any other Goods were to be shipped after such Corn, the Officer might have Notice to attend, to open the Locks and to see the same put on Board, and that these Locks should be continued till the Vessel sailed: And that if after such Sailing, any Part of the Corn was relanded upon any other Part of the Coast, that the Ship and Corn should be forfeited, and a heavy Penalty laid upon the Merchant, Part of which should go to the Informer, In order to induce the Sailors to discover it.

The said Captain *Cockburn*, after he had asserted the several Facts before mentioned, being asked to name the Parties concerned therein, desired to be excused so doing, as, he said, he was the Person in whom they put Confidence: Whereupon the Committee thought proper to wave the Question.

Captain EBENEZAR HARTLEY, being examined, said, that he has formerly commanded a Vessel employed in the Practice of Running of Goods.

That he has known large Quantities of Goods run out of East India Ships, particularly Muslins, and

and Silks, which are stowed between Decks, and in other Places, and are thrown out of the Port-Holes into Boats in the Night, or when the Officer on Board is entertained with Eating or Drinking, and at other times in the Sight of the Officer, who took no Notice of it.

That about 17 or 18 Years ago, his was One of Six Vessels that landed Teas and Brandies one Night on *Aldborô Beach*, which were sold to, and conveyed away on Horses by an armed Gang of about 300 Smugglers, Notwithstanding the Custom-House Officers used their utmost Endeavours to seize the same, That all the Goods which were run in these Six Vessels were, to his Knowledge, purchased with Money, and that the Tea was purchased of one *Andrew Hersey*, who buys large Quantities at the Dutch East India Company's Sale, purposely to supply the English Smugglers.

He likewise confirmed Captain *Cockburn's* Evidence with Regard to the Running of Beans, and added that about Twelve Years ago, when Beans were dear in this Kingdom, and cheap in *Holland*, the Smugglers bought Sacks in *Sussex*, which they carried to *Holland*, and filled them with Beans, and run them into that County, and from thence they were brought in Hoys to Bear Key.

And

And being examined, as to the Method to prevent Smuggling, he said; That in his Opinion, the best Method to prevent Running Goods by Violence, is to station armed Sloops upon the Coasts, For that when Smuggling was carried on on *Aldborô Beach*, he informed the Commissioners of the Customs thereof, and they, upon his Advice, stationed a Sloop with Six Men in *Aldborô Haven*, since which Time he has not heard of any Goods being Run there.

He was then examined, as to the fraudulent Methods of Smuggling, and said, That he has taken on Board 28 empty Casks, and, according to the Orders given him by a Merchant, proceeded to *Holland*, and filled 26 of such Casks with Oyl, and the other Two with Balsam Capivi, and afterwards he was directed by Letter to meet off *Aldborô* a Vessel which would hoist her Gibb 3 times as a Signal: That he accordingly met this Vessel which had as many Casks on Board as his Vessel, but only of them were filled with Oyl, the Rest with Water; That after the Water was emptied out, the Witness took those Casks on Board his Vessel, and put the Casks which he had brought from *Holland* on Board the other Vessel, which conveyed them under a Cocquet, obtained at *Wifbich*, to *Battle Bridge* in the Port of *London*: And when these Casks came to be landed, Care

was

was taken to place them in a Row and to put the Casks of Balsam Capivi in the Middle, in order that the Officer should taste the Oyl first, for then they could not distinguish the Balsam; And he said, that he proceeded with the empty Casks, he so received, to *Holland*, and filled them in the same Manner as before, and delivered them to another Vessel, and that he made three of these Voyages in One Summer.

He likewise confirmed Captain *Cockburn's* Evidence, with Regard to the Shipping of Goods under Pretence of Exportation, in order to obtain the Drawback, and the afterwards Running such Goods back, and said That a Merchant who had bought Muslins at the East India Company's Sale, to the Value of £. 1000, shipped half that Quantity for Exportation, on Board one Captain *Curtis*, a *Holland* Trader; That afterwards (he the Witness) was sent by such Merchant to receive the Muslins again, at *Grave-send*, which he accordingly did, and brought them back to *London*. That Captain *Curtis* proceeded in his Voyage, and when he returned brought a Certificate of such Muslins being landed in *Holland*, and that, upon this Certificate, the Drawback was allowed, and the Witness said, that the said Captain told him, such Certificate was obtained by 2 or 3 Merchants, who

R

em-

employed a Broker to swear at the *Stadt-House* that he saw such Muslins landed.

And he added, that he had lived at *Campvere* in *Zeeland* above Twenty Years, during which Time he had seen a great Number of Vessels come into that Port from *England* and *Scotland*, some of which the Witness piloted in, whose Loadings were Tobacco, which Tobacco was landed and taken out of the Hogsheads, and made up into Casks of about Two Hundred Weight each, in order to make it the more convenient for Smuggling, and then reshipped and carried back to *Scotland*; And that during all this Time, of the great Quantities of Tobacco brought into this Port, he never knew more than One Hogshead disposed of there, the Rest being all carried back and run into *Scotland*.

Mr. SAMUEL PRETOR, lately Wharfinger at *Cox's Wharf* in the Port of *London*, being examined, said, That in this Port there are Eighteen Officers, called Coast-Officers, who are appointed to take Care that all Goods are shipped, for which Cocquets are taken out to carry them Coastwise: That these Eighteen Officers, by Reason of the great Business in this Port, cannot take an Account of all such Goods.

He

He gave the following Instances, of Cocquets fraudulently obtained for Ships which cleared, from the Wharf he attended, the following Quantities of Goods, viz.

In November 1740. By the Sturdy Thomas Watson Master, to *Hull*, 2200 Gallons of English Spirits.

February 1740. By the Wheatstheaf Joseph Cockburn Master, to *Hull*, 30 Hogstheads of Sugar and Prunes, 10 Chests of Lemmons and Oranges.

April 1741. By the Adventure William Renneson Master, to *Hull*, 3795 Gallons of English Spirits, 14 Bags and 6 Pockets of Hops, 6 Casks of Prunes.

August 1741. By the Adventure William Renneson Master, to *Hull*, 2380 Gallons of English Spirits, 26 Hogstheads of Sugar, Currans, and Raisins, and 10 Pockets of Hops.

September 1741. By the Adventure William Renneson Master, to *Hull*, 30 Bags and 20 Pockets of Hops.

In

In October 1741. By the Wheatſheaf Thomas Watſon Maſter, to *Hull*, 2370 Gallons of Engliſh Spirits, 12 Casks of Sugar, Currans, and Raiſins, One Hogſhead of Vinigar.

June 1742. By the Orford Arthur Tranah Maſter, to *Hull*, 3740 Gallons of Engliſh Spirits, 4 Hogſheads of Starch, 6 Casks of Prunes, 2 Hogſheads of Sugar, and 8 Casks of Vinigar.

July 1742. By the Providence William Renneſon Maſter, to *Hull*, 2309 Gallons of Engliſh Spirits, 6 Barrils of Prunes, 6 Barrils of Starch, and 2 Hogſheads of Sugar.

Auguſt 1742. By the Wheatſheaf Thomas Watſon Maſter, to *Hull*, 1774 Gallons of Engliſh Spirits, 4 Casks of Vinigar, and 2 Hogſheads of Starch,

Auguſt 1742. By the Orford Arthur Tranah Maſter, to *Lynn*, 850 Gallons of Engliſh Spirits.

October 1742. By the Providence William Renneſon Maſter, to *Hull*, 3198 Gal-

lons of English Spirits, 10 Barrils
of Starch, 1 Cask of Apothecary's
Wares, and 4 half Hogsheads of
Vinigar.

In April 1743. By the Joan, Samuel Ellis,
to *Lynn*, 12 Hogsheads of Leaf To-
bacco weighing 89 2 10, (of
which were actually shipped in
London 6 Hogsheads weighing 42
2 21) 1020 Gallons of English
Spirits, 7 Casks of Vinigar, and
6 Hogsheads of Sugar, Currans, and
Raifins.

And by Copies of Cocquets, laid before the
Committee by the Commissioners of the Customs,
and hereunto annexed Appendix N. 1. It ap-
pears that Cocquets were granted for allowing
the said Ships to carry the before mentioned
Goods, Coastwise.

That these Goods, the Witness said to his
knowledge, were never taken on Board in the
Port of *London*, but the said Ships proceeded
to *Dunkirk* and other foreign Ports, and there,
instead of the English Spirits above enumerated,
took in like Quantities of French Brandy, and
instead of the Sugar a like Number of Casks
of Raifins of the Sun, Currans, and Prunes; and
instead

instead of the Apothecary's Wares, a Cask of Rhubarb and Spanish Juice; and likewise took on Board, the Several other Goods as described in the Cocquets, and carried the said Goods to the Ports consigned, as if they had been actually shipped at *London*. That one of the said Ships, The Providence William Renneson Master who cleared from *London* in October 1742; was seized at *Hull*, whereupon Renneson absconded, and upon a Trial, the Vessel, One Cask of Drugs, and Ten Barrils of Starch, were condemned; as was Part of the Brandy, to cover which he had taken out no Permits.

That the Witness discovered these Practices and gave Information thereof to the Commissioners of the Customs and Excise in September and October 1743, and was ready together with Arthur Tranah and William Renneson, two of the Masters of the said Ships, to have proved and actually did make Oath before the Barons of the Exchequer of, the said Facts; And, that thereupon, the Commissioners of Excise ordered Prosecutions to be commenced against the Receivers of the Brandy, But that such Prosecutions were never carried to Effect; For that J---b C---y of *Hull*, a Receiver of 4760 Gallons of the said Brandy, was never served with a Capias, Notwithstanding he did not abscond, and he and T-----y H-----n of *Leeds*, a Receiver

ceiver of 850 Gallons of the said Brandy, and who was served with a Capias Ten Months before the late Act of Indemnity commenced, were both admitted to plead the Benefit of that Act.

That another of such Offenders; Joseph Cockburn of *Stroud*; was discharged by an Order from the Lords of the Treasury, for eminent service which he performed in Behalf of the Crown, and the Rest of which Offenders were admitted to compound the Penalties they had incurred, for Sums much less than the Lawful Duty; on the Importation of such Brandies; amounted unto viz. J---n H---r of *Hull* Merchant for 6400 Gallons paid only £. 1000, T---s A---n, Esq. and G---e H---g, Merchants of *Lynn*, for 1870 Gallons paid only £. 200, and J---s B---y of *Hull* for 1440 Gallons paid only £. 40, which Persons, the Witness said; he is well informed; were sufficiently able to have paid the legal Penalties.

With Regard to the Information given by him to the Commissioners of the Customs, relating to divers of the said Goods, he said, That Notwithstanding Proof was ready to be made of the Facts, They did not think proper to direct any Prosecution to be commenced.

Being

Being further examined, he said, That in October 1742, T—s A—n and G—e H—g, Merchants, took out, at the Port of *Lynn*, a Cocquet to convey to *Hull* 20 Butts of Spanish Mountain Wine (a Coppy of which Cocquet is hereunto annexed Appendix N. 2.) Tho' such Wine was not shipped at *Lynn*, but the Ship proceeded to *Dunkirk*, and there took the said Wine on Board, and carried it to *Hull*, and in November following the same Ship was cleared from *Hull* to *London*, and a Cocquet obtained for conveying 6 Butts of Mountain Wine, alledged to be Part of the said 20 Butts, Tho' such Butts were not shipped, but were taken in at *Dunkirk* in Manner aforesaid, and afterwards landed at *London*.

That, tho' he likewise informed the Commissioners of the Customs of the said Practice, and made Oath thereof before a Baron of the Exchequer, and Notwithstanding the Master of the Vessel was likewise ready to have proved the Fact, Yet no Prosecution was ordered to be carried on, Nor was any Notice taken thereof.

Mr. ROBERT FOSTER, being again examined as to some of the Facts mentioned by Captain *Cockburn* and other Witnesses, said; That Sufferances may be obtained, for Carrying Goods Coastwise, that are not shipped, For that there

are not a Number of Officers sufficient to see every Parcel put on Board, and that Ships may sail to foreign Ports, and take in Goods mentioned in the Cocquets, and import them to the Port consigned to, as if they took them in at the Port they cleared from.

That one Means to prevent this Practice, would be, to oblige the Master of the Vessel to bring a Manifest, setting forth the Marks, Number, and Contents of the Goods shipped, and to swear to such Manifest before the Cocquet is granted; and he said, he knew of no other Method, except the putting Officers on Board such Ships; which would be an immense Expence, as there are sometimes a hundred Vessels in the Port of *London*.

But he owned That, in either of these Cases, Goods might be landed after the Vessel has sailed out of the Port, and then the same Cocquet might be made Use of, to bring Goods from abroad; and he added, That it is apprehended there is no Penalty on Persons who ship Goods to be conveyed Coastwise, and afterwards land these Goods, before they arrive at the Port they are consigned to.

Part of Captain *Cockburn's* Evidence, relating to the Frauds in Shipping Corn, being read to the Witness; He said, That he apprehends such Practice may be carried on, and has heard so, but never had a Proof of it. That a Fraud of the like Nature was discovered at *Ipswich*, but it was entirely the Fault of the Officers, who granted Permits for more Corn than was really shipped, and neglected to oblige the Merchant to endorse the Quantity shipped, on the Back of the Cocquet, by Reason of which Neglect such Corn could not be seized; But he said, That all the Officers, concerned in this Neglect, were discharged.

Being examined, as to the Exporting of Shot under false Package with Rice, and as to his Knowledge of false Package in general, He said, That he has heard that Shot was once exported in that Manner from the Norfolk Coast, But he never could get sufficient Proof of it, and believes it is seldom so exported.

That, when Casks are brought to a Wharf, it is customary for an Officer to open Two or Three out of Ten, and to weigh them, and compute the Rest according to the Proportion those Casks weigh. But when a Fraud is suspected, all the Casks are weighed; That Frauds

of this Nature are discovered, either by Information, or Chance of the Officers happening to open a particular Cask in which the false packed Goods are, For that it is impracticable to examine what every Cask contains, and that if the Officers were able to do so, It would in some Cases be of great Detriment to the Merchant, For that several Commodities, if the Casks were opened, would be frequently spoiled by the Weather.

The Committee then proceeded to enquire what Goods were run from this Kingdom to foreign Parts.

Captain COCKBURN, being again examined, said, That about 3 or 4 Years ago he saw at *Dunkirk* a Person arrive there, with about Forty Tons of Tobacco Pipe Clay, which, as he told the Witness, he took on Board in the following Manner; That he laid his Vessel along side of a Ship, from *Pool*, laden with Tobacco Pipe Clay, and took on Board the said Quantity, under Pretence of carrying it to the Wharf, but, instead thereof, proceeded to *Dunkirk*. This Fraud, he said, arose from there being no Officers in any of the Ports to attend the Landing of Tobacco Pipe Clay.

Mr.

Mr. ROBERT HENNING, being again examined, said, That about Ten Ships-Load of Wool are brought in yearly at *Dunkirk*, from *Ireland*; But that the chief Ports, to which Wool is brought, are *Rouen*, *Bordeaux*, and *Nantz*. That the Price given for Wool is about 30 Sols (that is about fifteen or sixteen Pence English) a Pound, but the Weight is about Nine Pounds, in the hundred Weight, more than the English Weight. And he said, that no Money is carried back, but the said Wool is paid for with Brandy, Teas, and Wines.

Mr. GEORGE BRIDGES, Tidesman in the Port of *London*, being examined, said, That formerly he had followed the Practice of Smuggling, for Nine Years, from *Nantz* and the Ports in lower *Britany*; to the Western Coasts of this Kingdom; That the Persons with whom he was concerned used to put into the West of *Ireland*, and sometimes into the Island of *Scilly*, or hovered about the Coasts, and that Boats and Vessels took the Goods from on Board the Ships, and paid for them; That he carried out Wool only, and in Return brought Brandy, Tea, Hollands and Cambrics. That on the Coast of *France* there are Warehouses purposely for Wool, and that 16 or 17 Merchants joined to load a Sloop or Brigantine, which carried in one Year above 1000
Packs

Packs of Wool of 240 Pounds Weight each, from a Village, called *Councaun*, in the County of *Cork* in *Ireland*, and from several other Places.

That it is usual to employ a poor Person, as a Nominal Captain, who clears out from the Custom-House of *Cork* with Ballast, to go Coastwise to load with Pilchards or Corn or something else; The real Merchants and Captain send to *Councaun* and Places thereabouts, and the Ship went there to receive the Wool, and had a Signal to be known by, which was lowering her Topsail and firing a Gun, and Smoke from the Shore was the Signal for the Vessel, That Persons with Wool were there; That there were Warehouses on the Coast filled with Wool, which belonged to one D—d J—n B—y, Esq. a M—r of the I—sh P—t, who had there 50 or 100 Tenants and Servants, and this Place was a great Distance from any Port where Officers were, and the Warehouses were built on purpose for carrying on this Practice.

That Vessels are appointed to guard the Coasts, but the Commanders have Presents made them, by the Wool-Smugglers; One of those Vessels called the Salamander, a 20 Gun Ship, was

was stationed at the Harbour of *Cork* about Nine Years ago, commanded by Captain H——n, which the Merchants, being apprehensive might be detrimental to them, made frequent Entertainments for him, and presented him with a Gold Box, and he after left his Ship lie at Anchor, at a Place called the *Passage*, 5 Miles within the Harbour of *Cork*, and discharged his Seamen, and those Seamen went out with the Witnesses to run Wool.

That one Captain of a Man of War did his Duty, and was broke for it, and one Captain *Mercer*, who was employed by the Custom-House, did now and then make a Seizure; But he said further, That if Ships were to be linked round the Coast, he could bribe them, and they would go out of the Way; Tho' he owns he could never persuade Captain *Mercer* to let him take Wool.

That the Captain, whom the Witnesses mentioned before; who was broke for doing his Duty; told the Witnesses he had made several Seizures, and was broke for being too busy. That it was raw and combed Wool which he took.

That

That Captain H——n, when called upon to be tried by a Court Martial for not doing his Duty, laid down his Commission; And that several Officers of the Custom-House have likewise been broke for doing their Duty, particularly one *Jordan*.

That when Captain *Mercer* came into *Cork*, the Mob rose upon him, and he made his Escape into Sheriff *Carey's* House; The House was surrounded by some Thousands, And they threatened to pull down the House; That the Sheriff interceded with the Mob, and told them he would give them his Oath That Captain *Mercer* should never be guilty of that vile Practice of Seizing Wool again, Upon which they discharged him. That about Nine Years ago, The Mob went afterwards to *Passage*, and took a Custom-House Officer, named *May*, out of his House; And cut out his Tongue, and cut off his Ears, One of which he saw nailed on *Cork* Exchange; That they dragged him with a Rope about his Neck, through all the Kennels, gave him several Blows, and threw him into the River, and he died of this Usage, And great Rewards were offered to discover the Offenders, but to no Purpose.

That

That the Mob, some Time after, went to *Kinsale*, and used an Informer, against the Smugglers, in the same Manner, but he survived it.

As to Smuggling in general, he said, he had seen 6 or 7 Ships loading at one Place, some with Camblets; That about Nine Years ago, The Witness made a Seizure in the County of *Cork*, and brought to the Custom-House several Parcels of Wool and Yarn, loaded in several Carts. That the Proprietors went to Law with the Witness, and the Witness alledged in his Justification the Act 10 and 11 King William, But it being an English Act, and not made for the Interest of *Ireland*, the Court overruled it; And an Action was brought against the Witness in the Name of a Person he never knew, and he lay in Goal upon that Action for four Months, and after he got released, he went to *Dunkirk*, (about Eight Years ago) where he saw the Kay covered with large Packs of Wool, which the Examinant was told came from *England*, from *Plymouth* as he thinks; That he has seen several *English* Captains at *Dunkirk* and at *Nantz*, and they told the Witness they carried out Wool, and brought back Brandy and Tea.

That

That afterwards, he went to *Aberdeen*, and the Merchants told him there was no Wool run from thence, But there was from *Baamf* and *Peterhead*, and that it came from *London*, *Newcastle*, and several Parts of *Durham*; The Wool is brought there by Vertue of an Act of Parliament, and it is sent from thence to *Norway*, *Holland*, and *Dunkirk*; They say they had *Galway* Wool came to those Parts, but that this Wool was too ordinary for a foreign Market; That a great Quantity of Wool is run from *Taelmouth* near *Berwick*, and that all the Wool that he had seen was carried in Packs, without the Knowledge of the Officers.

Mr. SIMON SMITH, being examined, with Regard to the most effectual Methods to prevent Smuggling in general, said; That the best Way to prevent the Running Wool, is by a Land-Register, and Register-Ships; For in that Case no Smuggler will purchase our finest Wool, when he cannot part with it without License. That the Land-Register, which may be managed either by a separate Commission, or by the Commissioners of Excise, who at the Time of Shearing have Numbers of Officers unemployed, it being in May and June, and in Six Weeks Time are all shorn, and stocked in the Hands of the Grower, and then

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there

there is no Malting, Hop-Gathering, Brewing of strong Beer, nor Soap-Boiling.

That to prevent our Money being carried to *France*, to purchase her superfluous Commodities, it will require the same Law to be made, as was made Anno 1678, (which prohibited all Manner of Commerce with *France*) and nothing but such a Prohibition can keep our Money from going to that Kingdom, and then it would be proper to lay the same Penalty upon the Buyer as the Seller of all *French* Goods, which will create such Distress and Jealousies of each other, that neither the Buyer or Seller will care to have any Dealings, for Fear it should be done with a Design to sue for the Penalty.

That all Persons that are seized in the unlawful Acts of Smuggling, to be detained in the same Manner as in Cases of Murder, Robberies, or House-Breaking.

That the rich wholesale Smugglers, who live upon the Sea-Coasts, who keep Cutters or Smuggling-Vessels to carry our Wool or Money to *France*, and bring back *French* Goods,

Goods, are Patrons and Protectors of the poorer Sort, and their Interest is so interwoven with *France*, that it is natural for them to give the *French* the best Intelligence they can, and in Return the *French* give their Smuggling-Vessels Passes to enter into any Port of *France*, to secure them from *French* Privateers, and these Vessels carry a very few Guns, and are of the largest Sort, for carrying Wool, and take out Letters of Marque to secure them from the *English* Privateers, by which Means They are qualified to carry on an infamous Intercourse with *France*, during the War; And he is of Opinion, these rich Smugglers should be rendered incapable to Vote at any Election, and also rendered incapable of Suing for any Debt, as in Cases of Excommunication,

The Committee having also considered the Petition of Mr. *Robert Bonell*, to them referred, and also Proposals which he delivered into the Committee, for effectually preventing all Manner of Smuggling, Frauds, and Abuses in the Customs, And the pernicious Practice of Running Wool from *Great Britain* and *Ireland*, to Parts beyond the Seas, have come to the following Resolution, viz.

Resol-

Resolved,

That it is the Opinion of this Committee, that the Proposal of Mr. *Robert Bonell*, for effectually preventing all Manner of Smuggling, Frauds, and Abuses in the Customs, be recommended to the House to be printed,



Appen-

The 2
1740
Sturdy
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NB.
Watf
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not Jo
burn.

Appendix N. I.

*Coppies of the Coast-Cocquets of the
Sturdy, Thomas Watson Master, The
Wheatsheaf, Joseph Cockburn Master,
The Wheatsheaf, Thomas Watson Ma-
ster, The Adventure, William Renne-
son Master, The Providence, William
Renneson Master, The Orford, Arthur
Tranah Master, from London to Hull,
The Orford, Arthur Tranah Master,
and the Joan, Samuel Ellis Master,
from London to Lynn.*

The 29 Nov. 1740 The Sturdy Tho. Watson Master, for Hull. NB. Thomas Watson was Master of the Sturdy, and not Jos. Cockburn.

[London, Know ye, That Mary Fore-
man has laden here Fifteen Casks
containing Two Thousand Two Hun-
dred Gallons of English Spirits, Four
Loads Straw-Wold, Three Hogheads
Sugar, and Six Barrils Soap, as by Suf-
ferance annexed, in the Sturdy Tho-
mas Watson Master for Hull, Security
is dated 29 November 1740.

Ja. Hoper p. Coll.

Wm. Richardson p. Compt.

Lon-

The 14 Febr.
1740 The
Wheat-sheaf
Jof. Cockburn
Master for
Hull.

[London, Know ye, That White and
Comp. have laden here, Thirty Hogf-
heads Sugar, Prunes, and Currans,
Ten Chests Lemmons and Oranges,
and Two Pockets of Hops, as by one
Sufferance annexed, in the Wheat-
Sheaf Jof. Cockburn Master for Hull,
Security is given dated 14 Febr. 1740.
Ja. Hoper p. Coll.
Wm. Richardson p. Compt.

The 13 April
1741 The
Adventure
William Ren-
neson Master
for Hull.

[London, Know ye, That Neatby and
Comp. have laden here, Twenty three
Casks containing One Thousand Seven
hundred and Ninety five Gallons of
English Spirits, Five Thousand Wood-
Hoops, Fourteen Baggs Six Pockets
Hops, and Six Barrils Prunes, as by
Sufferance annexed, in the Adventure
William Renneson Master for Hull,
Security is given dated 13 April 1741.
Ja. Hoper p. Coll.
Wm. Richardson p. Compt.

The 5 August
1741 The
Adventure
William Ren-
neson Master
for Hull.

[London, Know ye, That Thom. Ja-
mes has laden here, Twenty Casks
Sugar, Currans, and Raifins, Ten
Pockets Hops, Six Casks containing
One Thousand and Twenty Gallons
English Spirits, Six Casks Sugar, Cur-
rans,

rans, and Raifins, Eight Thousand Wood-Hoops, and Eight Casks containing One Thousand Three Hundred and Sixty Gallons English Spirits, as by Sufferance annexed, in the Adventure William Renneson Master for Hull, Security is given dated 5 August 1741.

Ja. Hoper p. Coll.

Wm. Richardson p. Compt.

London, Know ye, Thomas Burges has laden here, Thirty Baggs and Twenty Pockets Hops containing Nine Tons, as by Sufferance annexed, in the Adventure William Renneson Master for Hull, Security is given dated 19 September 1741.

Ja. Hoper p. Coll.

Wm. Richardson p. Compt.

London, Know ye, That Blunt and Comp. have laden here, Nineteen Casks British Spirits containing Two Thousand Three Hundred and Twenty Gallons, Forty Two Casks Sugar, Currans and Raifins, One Hoghead Vinigar, Two Puncheons Mellasses, Six Barrils Soap, and Twenty four empty Runtlets, as by Sufferance

anne-

annexed, in the Wheatstheaf Thomas
Watson Master for Hull, Security is
given dated 10 October 1741.

Ja. Hoper p. Coll.

Wm. Richardson p. Comp

The 28 June
1742 The
Orford Ar-
thur Tranah
Master for
Hull.

London, Know ye, Thomas Mee
has laden Six Hogsheads Whiteing
Eight Casks Vinigar, Six Baggs Ju
niper Berries, One Hundred and
Fifty Sugar Potts, Four Hogthead
Melasses, Twenty Two Casks con
taing Three Thousand Seven Hun
dred and Forty Gallons English
Spirits, Four Hogsheads Starch, S
Casks Prunes, Two Hogsheads S
gar, as by Sufferance annexed,
the Orford Arthur Tranah Mast
for Hull, Security is given date
28 June 1742.

Ja. Hoper p. Coll.

Wm. Richardson p. Comp

The 30 July
1742 The
Providence
William Ren-
neson Master
for Hull.

London, Know ye, That Richa
Blunt has laden here, Twenty S
Casks containing Three Thousand
Five Hundred and Twenty Gallon
English Spirits, Eight Barrils O
Two Hogsheads Sugar, Two Po
kets Hops, Six Bundles Wood-Hoop

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Six Casks Prunes, and Six Barrils Starch, as by Two Sufferances annexed, in the Providence William Rennefon Master, for Hull, Security is given, dated 30 July 1742.

Ja. Hoper p. Coll.

Wm. Richardson p. Compt.

The 21 August 1742 The Wheatheaf Thom. Watson Master for Hull.

London, Know ye, That William Mees has laden here, Twelve Casks containing One Thousand Seven Hundred and Seventy Four Gallons English Spirits, Six Hogsheads Whiteing, Two Hogsheads and Two half Hogsheads Vinigar, and Two Hogsheads Starch, as by Two Sufferances annexed, in the Wheatheaf Thomas Watson Master, for Hull, Security is given, dated 21 August 1742.

Ja. Hoper p. Coll.

Wm. Richardson p. Compt.

The 28 August 1742 The Orford Arthur Tranah Master for Lynn.

London, Know ye, That Messrs. Owen have laden here, Forty Six Barrils Pitch, Thirty Six Barrils Tarr, One Hogshead and Forty two half Hogsheads Vinigar, Twenty one Barrils Soap, Two Hampers

U

Port

Port Wine, Six Casks containing Nine Hundred and Ninety Gallons English Spirits, One Cask containing Twelve Gallons of Rum, Four Casks Rozin, Two Lumps of Allum, Three Bundles Blackeing, One Firkin ground Lead, Three Boxes Haberdashery Ware, One Hoghead, One Barril and One Basket of Oilman's Ware, One Barril Sugar, Three Loads of Household Goods, as by Sufferance annexed, in the Orford Arthur Tranah Master, for Lynn, Security is given, dated 28 August 1742.

Ja. Hoper p. Coll.

Wm. Richardson p. Compt.

The 16 October 1742
The Providence William Renne-
son Master
for Hull.

London, Know ye, That Thomas Jones has laden here, Twenty five Casks containing Three Thousand Four Hundred and Ninety Gallons of English Spirits, Ten Barrils Starch, Five Casks Linseed, Twelve Barrils Whiting, One Cask Apothecary's Ware, Four Half Hogheads Vinigar, Four Sacks of Flour, as by Sufferance annexed, in the Providence William Rennefon Master,
for

for Hull, Security is given, dated
16 October 1742.

Ja. Hoper p. Coll.

Wm. Richardson p. Compt.

The 23 De-
cember 1742
The Wheat-
sheaf Joseph
Cockburn
Master for
Hull.

London, Know ye, That Mary
Foreman has laden here, Thirteen
Casks containing Two Thousand
One Hundred and Eighty Gallons
English Spirits, Eight Half Hogf-
heads Vinigar, Two Hogsheads Me-
laffes, Four Barrils Soap, and One
Cask Foreign Brandy containing
Forty Gallons, as by Sufferance an-
nexed, in the Wheatsheaf Joseph
Cockburn Master, for Hull, Secu-
rity is given, dated 23 December
1742.

Ja. Hoper p. Coll.

Wm. Richardson p. Compt.

The 11 April
1743 The
Joan Samuel
Ellis Master
for Lynn.

London, Know ye, That John Wal-
lington has laden here, Twelve Bar-
rils Soap, Twelve Hogsheads To-
bacco containing Eighty Nine hun-
dred and a half and ten Pounds,
Two Hampers Port Wine, Two
Barrils Soap, Seven Casks Sugar,
Currans and Raifins, Seven Casks
con-

containing One Thousand One Hundred and Ninety Gallons English Spirits, Three Hogsheads Whiting, Two Butts Yeast, and Seventy half Hogsheads Vinigar, as by three Sufferances annexed, in the Joan Samuel Ellis Master, for Lynn, Security is given, dated 11 April 1743.

Ja. Hoper p. Coll.

Wm. Richardson p. Compt.



21 April 1746

*Delivered to the Committee of Enquiry
upon Smuggling*

By Sir WILLIAM RICHARDSON.



Appen-

Appendix N. 2.

*Copy of the Coast-Cocquet of the
Orford, Arthur Tranah Master, from
Lynn to Hull.*

2 Octo-
1742 The
Orford Ar-
Tranah
er for

[Lynn Rs, Know ye, That Thomas
Allen &c. have laden here, Twenty
Butts of Spanish Wine, Duty paid,
Four Pipes of British Spirits, in the
Orford Arthur Tranah Master, to
Hull, as by Two Sufferances an-
nexed, Security is given, Custom-
House, dated 2 October 1742.

Jn^o. Child D. Collr.

Charles Miller D. Comptr.



21 April 1746

*Delivered to the Committee of Enquiry
upon Smuggling*

By Sir WILLIAM RICHARDSON.

Mr.

Appendix N. 2.

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1746

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Mr.

Mr.

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By

Mr. ROBERT BONELL's

SCHEME

24 March 1745

*Presented to the Committee appointed
to enquire into the Causes
of Smuggling*

By ROBERT BONELL

And reported

23d. June 1746.

ROBERT BONELL'S

SCHEME

24 March 1745

presented to the Committee of the House
of Commons

of the

ROBERT BONELL

And reported

24 June 1746

PROPOSALS

Humbly offered

To the *Honourable* THE COMMONS
of GREAT BRITAIN

in *PARLIAMENT* assembled

For

*Effectually preventing all Manner of
Smuggling, Frauds, and Abuses in the
Customs, and the pernicious Practice of
Running Wool from Great Britain
and Ireland to Parts beyond
the Seas*

By ROBERT BONELL.

PROPOSALS

Respectfully offered

To the Honourable the Commons

of Great Britain

in Parliament assembled

For

the better preventing all Mischances of
Fire, Flood, and other in the
City, and the permission of the
Honourable House of Commons
and Ireland to have the same

the Year

By ROBERT BOWELL

PROPOSALS

Humbly offered &c.

May it Please Your Honours.

WHEREAS notwithstanding the several Laws already made, for preventing Frauds and Abuses in the Customs, and the pernicious Practice of Running Wool from Great Britain and Ireland, to Parts beyond the Seas, it is still found by daily Experience, that very great and considerable Quantities of Goods, Wares and Merchandize are run on Shore, without Payment of Duties, and Certificate and Debenture Goods reloaded, to the great Diminution of the public Revenue, and to the manifest

nifest Prejudice of the Trade of these King-
 doms, and also that very great Quantities of
 Wool are exported, to the utter Ruin of many
 Thousands of His Majesty's Subjects, For Re-
 medy whereof, It is humbly proposed to offer,
 in the following Sheets, a short View of the
 Laws of the Customs, and the subtle Means
 by which they are evaded, together with some
 Considerations and Methods for effectually pre-
 venting such unlawful Practices for the future,
 by proper and easy Checks and Restraints suit-
 able to the Laws and Constitution of these
 Realms, with a Recapitulation of the Heads of
 the preventing Articles, &c.

Laws concerning Importation.

1st ——— As to the Laws concerning Importation.

Anno 1 Eliz.
Cap. 11.
Sect. 5. { It is enacted, That no Master &c.
of any Ship or Vessel, shall deliver
or suffer to be put into any Lighter
or Bottom, any Goods &c. without
declaring to the Officers of the
Customs, the Names of every Mer-
chant &c. and to answer all Ques-
tions upon Oath, on the Forfeiture
of £. 100.

Anno 12
Car. 2di.
Cap. 18.
Sect. 1. { No Goods shall be imported into
or exported out of any Lands &c.
to his Majesty belonging, but in
such Ships and Vessels as truly be-
long to the People of England, and
whereof the Master and three
Fourths of the Mariners, at least,
are English; under the Forfeiture
of the Ship and Goods. — NB. By
Anno 5 Anne, Scotch Subjects and
Ships are accounted British.

Sect. 4. { No Goods of Foreign Growth
shall be shipped or brought from
any other Place or Country, But
from

Laws concerning Importation.

from such only as are the Growth or Manufacture thereof, or from those Ports where such Goods are usually shipped for Transportation, and from no other Country, Under the Forfeiture of all such Goods, and also the Ship in which they were imported.

Anno 14
Car. 2di.
Cap. 11.
Sect. 2.

No Ship, Vessel or Boat arriving from Parts beyond the Seas, to be above three Days coming from Gravesend to the Place of her Discharge &c. and then or before the Master or Purser to make Entry upon Oath &c. of the Burthen, Contents and Lading with the particular Marks, Numbers, Quantities and Contents of every Parcel of Goods therein contained, and in all Outports to come directly to the Place of Unlading &c. and make Entries as aforesaid, On the Penalty of £. 100.

Sect. 4.

Officers of the Customs are empowered to enter a Board any Ship or Vessel &c, and from thence to bring on Shore into His Majesty's Store-

Laws concerning Importation.

Store-House, all small Parcels of fine Goods or other Goods which shall be found in Cabbins, Chests, Trunks or other small Package, or in any private or secret Place in or out of the Hold &c. And the Officers of the Customs &c. are empowered to remain on Board unmolested untill all the Goods are discharged, And if the Master &c. suffers the Package of any Goods to be opened or imbezzled, he forfeits £. 100.

Sect. 5. { If any Goods &c. are concealed on Board any Ship or Vessel after the Ship is cleared, Duty not being paid, The Master forfeits £. 100.

Sect. 6. { Every Person &c. that shall forcibly hinder, beat or abuse any Officer &c. in the Execution of his Office, shall be committed to Prison till the next Quarter-Sessions, whom the Justices of the Peace are empowered to punish by Fine not exceeding £. 100, And there to remain till he be legally discharged,
or

Laws concerning Importation.

or discover the Person or Persons
that set him to Work.

Masters, Purfers, Boatfmain or
other Mariners, knowing or con-
senting to the Unshipping any Goods
Sect. 7. out of any Ship homeward bound,
without a Warrant or Presence of
an Officer, forfeit the Value of the
Goods so unshipped.

Goods &c. unshipped (Customs
and other Duties not being first paid
and secured) forfeited, and also the
Person assisting or otherwise con-
cerned in Unshipping the same,
Or to whose Hands such Goods
shall knowingly come, Are to for-
feit treble the Value with Vessels,
Boats, Horses &c.

Anno 5
Geo. I. } Goods not reported, and found
Cap. 11. } after the Ship is cleared, Forfeited.
Sect. 4.

Anno 7
Geo. I. } Treasure or Effects shipped for
Cap. 20. } the East Indies, (except the Com-
Sect. 4. } pany's, or Licenced by them, or
Stores, &c. for the Ship) or taken
out

Laws concerning Importation.

out of such Ship Homeward, forfeited and double the Value, and the Commander or other Officers knowingly permitting the same, forfeit £. 1000. and their Wages.

Anno 8
Geo. I.
Cap. 18.
Sect. 6.

Persons found passing, knowingly, with any Foreign Goods, landed without Payment of Duties within 20 Miles of the Coast, and more than 5 in Company, or shall carry any offensive Weapons, or wear any Disguise, or shall forcibly hinder or resist any of the Officers of the Customs or Excise (in their Duty) shall be deemed Runner of Goods, And, after Conviction, adjudged guilty of Felony and to be transported.

Anno 11
Geo. I.
Cap. 30.
Sect. 16.

Persons harbouring Prohibited Goods or Run Goods &c. liable to Duties, forfeit the Goods and treble the Value.

Laws concerning Importation.

Sect. 18. { Prohibited or Run Goods offered
to Sale, may be seized by the Party
to whom offered, Or by any Officer
of the Customs or Excise.

Sect. 19. { Besides the Goods the Person for-
feits treble the Value.

Sect. 20. { Prohibited or Run Goods may
be seized on, and taken from the
Buyer by the Seller, or by any Of-
ficer &c.

Sect. 21. { Buyers also forfeit treble the Va-
lue, besides the Goods.

Anno 9
Geo. II. { Goods found concealed in false
Bulk-Heads, between the Lining
and false Knees, or in concealed
Lockers, or in the Ballast or false
Package, and other private Places
of the Ship, after the Masters Re-
port at the Custom-House, and
which are not comprised therein,
for-

Laws concerning Importation.

forfeited, and the Master &c. forfeit treble the Value of such Goods, In Case it can be made appear he was any ways consenting or privy to such Fraud.

And further; Persons forcibly opposing, wounding or beating any Officer of the Customs or Excise, on Board any Ship, Vessel or Boat within the Limits of any Port &c, in the due Execution of his Office or Duty, To be transported, not exceeding seven Years.

Thus much of the Laws concerning Importation.

Defects

*Defects in the Laws concerning
Importation.*

Notwithstanding the aforesaid Acts of Parliament, many Frauds and Abuses are daily found not to be remedied thereby — As First

That very great and considerable Quantities of Goods, Wares and Merchandize, in Bales, Chests, Trunks, Boxes, Casks, and other Packages, are often stowed in the Cabbins, Gun-Room, Bread-Room, Lazaretta, and between Decks, as well as in the Hold of almost all Ships and Vessels arriving from Parts beyond the Seas, and clandestinely run on Shore without Payment of Duties, by being secretly conveyed out of the Cabin-Windows, Head-Doors, Port-Holes, and other Places, into Boats and Wherries continually waiting for that Purpose, which the Officers of the Customs cannot possibly prevent, Notwithstanding their Power of bringing on Shore into His Majesty's Store-House all small Parcels of Fine Goods &c.

2dly — That the Owners of such Boats and Wherries are so very impudent and audacious, as often to carry off by Force such uncustomed and prohibited Goods, in Bales, Chests, Trunks, Boxes, Casks &c. in the very Sight and Presence of the Officers of the Customs, who,

*Defects in the Laws concerning
Importation.*

who, not knowing the several Species of Goods therein contained, are not able to prosecute the Offenders for such illegal Practices.

3dly ——— That Running such uncustomed and prohibited Goods, Wares and Merchandize, are carried on by the Masters, Mates, Super-Cargoes, Purfers, Gunners, Boatfwains, and Sailors of Ships, for themselves or for the Merchants, in the Night-Time, or in Blowing-Weather, and in the Day-Time when Opportunity offers (which too often happens) either before the Master makes Entry of his Lading at the Custom-House or afterwards, whilst the Cargo is delivering, which Goods so run are always omitted in such Entry on Purpose to defraud His Majesty's Customs &c, and if by some Accident or other such Goods are prevented from being run, then the Master &c. or the Merchant has at last this Subterfuge, to enter them by Way of Post-Entry; and as to the Penalty of £. 100 incurred by the Master for making a false Entry, It is not recoverable for Want of being able to prove that the Master of the Ship had Knowledge of the Coming on Board of such Goods, omitted in such Entry, as aforesaid, To which they always pretend Ignorance, As was the Case of Tobias Jewers, Master of the Chandois Sloop

*Defects in the Laws concerning
Importation.*

Sloop from Holland, when a Verdict was given against the King.

4thly ——— And altho' the Masters of all Ships and Vessels should not be above three Days coming from Gravesend, to the Place of their Discharge, and then or before should make a true Entry at the Custom-House of their Lading, upon Oath, to the best of their Knowledge, and in all Outports directly come up to the Place of Unloading, and make Entry as aforesaid; Yet by Reason of Sundays and Holydays often intervening, together with many other Accidents, It is frequently a Week before such Entry is made, and when such Entry is made, it is always to the Collector or Customer Inwards, or their Deputies of the Port; which seldom or never come into the Hands of any of the Surveyors and Tidesmen belonging to the Customs, who are the only Persons appointed to guard all Ships and Vessels, from Running either prohibited Goods or any uncustomed Goods on Shore, without Payment of Duties, from their Arrival till their Cargoes are delivered.

Now to remedy the Evils above mentioned, It is humbly proposed,

Remedies.

Remedies.

That every Master, Purser, or other Person taking Charge of any Ship or Vessel, should, upon his Arrival from foreign Parts into any Port of Great Britain, deliver to the Surveyor, Tidesman or other Officer of the Customs, as soon as any of them should come on Board such Ship or Vessel, a true Inventory in Writing under his Hand containing the particular Marks, Number, Qualities, and Contents of every Parcel of Goods, Wares, and Merchandize on Board such Ship or Vessel, and that every such Master, or some Person or Persons for him, should, as soon as his Ship or Vessel is moored at the Place of her Discharge, assist the said Officers of the Customs to examine and compare such Inventory or Account with the Marks, Numbers, and Contents of all such Goods, Wares, and Merchandize as shall be stowed in the Cabbins, Gun-Room, Bread-Room, Lazaretta, between Decks, and all other Places in such Ship or Vessel, as they should see Occasion, except in the Hold of such Ship or Vessel, which should be secured by locking down every Hatch, Scuttle, and Place going into the same, untill the Goods, Wares, and Merchandize contained therein are legally entered, and that on Refusal of such Assistance, or in Case the Hold should be opened, otherwise than in the Presence of one or
more

Remedies.

more of the said Officers of the Customs, the Master &c. should forfeit

And if in taking such Account it should appear, That there are any Goods, Wares, or Merchandize on Board such Ship or Vessel, which are not contained in such Inventory or Account, Such Goods, Wares, and Merchandize should be forfeited and lost. *Vid. Postscript.*

By this Method a great deal of false Swearing will be prevented, Because it will be scarce possible for the Master, Purser, or other Person taking Charge of any Ship or Vessel; when he enters his Lading at the Custom-House; to leave any Goods out of such Entry, but what must be detected.

And certainly it should be the Business of every Master, or some body for him, to take an Account of his own Cargo, as he receives the Goods on Board, for which he gives or ought to give Bills of Lading, and for which in Strictness he is answerable to his Owners, who, for Want of proper Means to discover the whole Lading of the Ship, have been hitherto considerable Losers in their Freight, and thereby discouraged from being concerned in Ship-

Remedies.

Shipping, so much as otherwise they would have been, But, by the Method above said, may now easily come at the true Knowledge of the Freight of all Goods shipped on Board, which they have not yet been able to do; And as to the little Trouble the Master will have in making such an Inventory, and in assisting the Officers to examine, Whither there be any Goods, Wares, or Merchandize left out of such Inventory, it will be no material Objection thereto; Especially as it will be only for such Time as their Ships are unloading, which is seldom more than three Weeks, and very often not so long.

Laws concerning Exportation.

2dly ——— As to the Laws concerning Exportation.

Anno 1 Eliz.
Cap. 11.
Sect. 4.
and Anno 14
Car. 2di.
Cap. 11.
Sect. 3.

It is provided that no Master, Shipper, Purser, or other Person taking Charge of any Ship or Vessel during the Voyage, or of the Merchant's Goods, shall take in any Goods to be carried beyond Sea before he shall have signified to the Customer of the Port where he ladeth, and other Officers there, in the Open Custom-House, that he intendeth to lade, and to what Port or Place he intendeth to pass, nor shall after his Lading depart before he does in like Manner signify unto the Customer, his Loading, and what Merchants and other Persons shall have laden with him, and further shall answer such Questions as shall be ministered to him by the Customer and other Officers concerning such Wares, upon Oath, on Pain of forfeiting £. 100.

Sect. 9.

Goods secretly conveyed beyond Sea on Board any Ship or Vessel before

Laws concerning Exportation.

before the Customs and Subsidy thereof be duly paid, the Owners &c. thereof shall forfeit double the Value; Except Coals which shall pay double the Custom and Duty.

Sect. 12. { Certificate Goods loaded, without the Presence of an Officer, forfeited in the Value thereof.

Anno 8
Anne.
Cap. 13.
Sect. 16. { Tobacco or other foreign Goods specified in any Certificate, whereupon any Debenture is to be made forth for any Drawback, and not exported, forfeited, and the Exporters or any others who shall bring back or cause to be relanded such Certificate Goods, or shall otherwise be concerned therein &c, shall forfeit double the Value of the Drawback, together with Vessels, Boats, Horses &c.

Sect. 17. { If any Officers of the Customs connive or assist in Frauds, relating to such Certificate Goods as aforesaid, he shall forfeit his Office and suffer Six Months Imprisonment without

Laws concerning Exportation.

out Bail or Mainprize, and likewise if any Commander or other Person, belonging to any Ship or Vessel, shall assist in or connive at the fraudulent Landing of any such Certificate Goods, he shall over and above all other Penalties suffer the like Imprisonment, as aforesaid.

Sect. 18.

No Debenture shall be paid or allowed for Tobacco exported from Great Britain to Ireland, unless a Certificate be produced under the Hands and Seals of the Collector, Comptroller and Surveyor of the Customs of some Port in Ireland, or any two of them, when such Goods shall be landed, testifying the Landing thereof.

Sect. 19.

That the Master of every Ship or Vessel, carrying such Certificate Goods to Ireland, shall take a Duplicate of his Contents in Writing under the Hands and Seals of the Collector and Comptroller of every respective Port in Great Britain, and be obliged to deliver the same to the

Laws concerning Exportation.

the Officers of the Customs in Ireland, on his Arrival, before he then be permitted to land such Goods there.

Anno 5
Geo. I.
Cap. 11.
Sect. 5.

No Bonds given, on the Exportation of Coffee, Tea or other Certificate Goods exported to Ireland, shall be delivered up or any Drawbacks allowed for any such Goods, untill a Certificate be produced under the Hands and Seals of the Collector and Comptroller and Surveyor of the Customs of some Port in Ireland, or any two of them, when such Goods shall be landed, testifying the Landing thereof; and for the future the Condition of all such Bonds &c. shall be, to produce such Certificates in Six Months (the Danger of the Seas and Enemies excepted) on Forfeiture of such Bonds.

Sect. 6.

If any Goods, prohibited to be worne in this Kingdom, and foreign Goods shipped out for Parts beyond the Seas, shall be unshipped, unless in Case of Necessity &c, forfeited, and

Laws concerning Exportation.

and if the Master &c. of any Ship or Vessel, wherein such Goods shall be laden, shall suffer any of them to be landed, unless as aforesaid, shall forfeit the Value of the same, and the Person or Persons, to whose Hands such Goods shall knowingly come, shall forfeit double the Value thereof, unless he or they make Discovery to the principal Officers of the Customs in Six Days.

Anno 8
Geo. I.
Cap. 15.
Sect. 4.

{ Silk Stuffs or any other Manufacture aforesaid, reloaded without Licence &c. or in Case of Distress, forfeited, and treble the Value, besides the Penalty of the Bond.

Anno 9
Geo. I.
Cap. 21.
Sect. 7.

{ Persons, discovering Frauds in Drawbacks, to have One Half of the Officer's Share and acquitted of the Offence.

Anno 10
Geo. I.
Cap. 10.
Sect. 26.

{ Coffee, Tea and Cocoa-Nutts intended for Exportation shall be delivered &c, unto the Importers &c, upon Security first given to His Majesty &c, That the same and every Part thereof shall be exported and
not

Laws concerning Exportation.

not relanded in Great Britain, which said Security shall be discharged without Fee or Reward upon producing a Certificate to the proper Officers of the Customs, under the common Seale of the Chief Magistrate in any Place beyond the Seas, or under the Hands and Seals of Two known British Merchants there residing, That such Coffee, Tea and Cocoa-Nutts were then and there landed, or upon Proof of Two credible Witnesses that the same were taken by Enemies or perished at Sea.

And Bonds given for Exportation of all other Certificate Goods are discharged in like Manner, Except such as are exported to Ireland.

Anno 1
Geo. 2di.
Cap. 17.
Sect. 9.

And filk Stuffs made in Great Britain, or Silk mixed with Gold and Silver, Grogram, Yarn, Incle, Cotton, or Worsted, sold on the Coast of Africa, and some other foreign Places.

So far as to the Laws touching Exportation.

Defects

*Defects in the Laws concerning
Exportation.*

Notwithstanding the Laws abovementioned for preventing the clandestine Relanding of Certificate and Debenture Goods, It is by Experience frequently found that very great Quantities of such Goods are daily relanded, and even sometimes before Ships are cleared at the Custom-House; as will appear by several Informations in the Hands of the Sollicitor of the Customs; and Bonds given for the Exportation of such Goods discharged by false Certificates, besides no Bonds at all are given on the Exportation of Tobacco, of which great Quantities are often relanded.

Now to prevent such clandestine Practices, and to remedy the same for the future, The following Particulars are humbly proposed, over and above the Securities already given by the Exporters of Certificate and Debenture Goods, and the Exporters of Tobacco which give no Security at all.

Remedies.

Remedies.

That every Master, Purser, or other Person taking Charge of any Ship or Vessel outward bound, wherein any Certificate, or Debenture Goods, Wares, or Merchandize are shipped for Exportation, should, under the Penalty of when he makes his Clearance at the Custom-House, give Bond to His Majesty with one or more sufficient Securities to the Value of not to reland or suffer to be relanded any of the said Certificate, or Debenture Goods, Wares, or Merchandize, in any Port, Member, or Creek in Great Britain, but really and truly export the same and every Part thereof to Parts beyond the Seas, (the Danger of the Seas and Enemies excepted) and that such Bond should not be discharged untill His Majesty's Officers residing in foreign Ports have transmitted a Certificate (sealed with a particular Seale made for that Purpose) to the Commissioners of His Majesty's Customs here, that such Goods have been really and bonafide landed there, and when it shall happen that such Certificate, or Debenture Goods, Wares, or Merchandize are exported to a Place where no such Officer does reside, Then the Master, Purser, or other Person having Charge of such Ship or Vessel during the Voyage,

A a should,

Remedies.

should, within Days after his Arrival home, certify to the Collector, Customer, or other Chief Officer of the Port, the Time when, and Place where such Certificate or De-benture Goods, Wares, or Merchandizes were landed, and that the said Master, and every Mate, Purser, Gunner, and Boatswain of such Ship or Vessel should sign such Certificate in the Presence of the said Collector, Customer, or other Chief Officer of the Port, who should be obliged to witness the same, Otherwise such Bond should not be delivered up, But put in Suit as if such Goods had really been brought back and relanded in Great Britain.

By this Means the Exportation of all Certificate and De-benture Goods will be made so public to the Officers &c. of Ships, That every Master, Purser, or other Person taking Charge of any outward bound Ship or Vessel will be very cautious of being concerned in Relanding such Certificate or De-benture Goods for the future, and even deterr'd from the very Attempt of such unlawful Practices; and it is but reasonable that the Master, Purser, or other Persons taking Charge of such Ships or Vessels, (who are the only Persons that have the sole Custody

Remedies.

Custody and Direction of all such Certificate and Debenture Goods, as also of all other Goods shipped on Board during the whole Voyage) should give such Security to His Majesty as before mentioned; as well as the Exporters not to reland, nor suffer to be relanded any such Certificate or Debenture Goods in any Port, Member, or Creek in Great Britain, Because it is in the Master of the Ship's Power, and his only, to prevent such pernicious Practices so detrimental to His Majesty's Revenue and fair Trader, and which every Master &c. of any Ship or Vessel may safely perform to the Advantage of the Revenue, without any Damage to himself.

*Laws concerning Colliers and
Coasting-Vessels.*

3dly ——— As to the Laws concerning
Colliers and Coasting-Vessels.

Anno 3
Hen. 7.
Cap. 7.

It is provided that Goods are not
to be carried from one Port to an-
other without a Certificate under
the Customer's Seal, directed to the
Customer whereto the Goods shall
be carried, and such Certificate to
be delivered to the Customer before
the Goods are discharged, to see that
they agree therewith and that the
Customs be duly paid, and if the
Goods be unpacked or put to Sale
in any Port then where first entered,
Forfeited. — For the Sight of
which Goods no Fee to be taken.

Anno 12
Car. 2di.
Cap. 18.
Sect. 6.

No Ship to go from Port to Port
in England, Ireland &c. but English
built and manned with three Fourths
English, under the Forfeiture of the
Goods therein laden, together with
the Ship &c.

NB. By the Act of Union extended to
Scotland.

Goods

*Laws concerning Colliers and
Coasting-Vessels.*

Anno 14
Car. 2di.
Cap. 11.
Sect. 7.

Goods shipped on Board any Ship or Vessel to be carried forth to the open Sea, from any Port, Creek or Member in the Kingdom of England &c, to be landed at any other Place of this Realm without a Sufferance or Warrant from the proper Officers, *Forfeited*, And the Master of every Ship or Vessel that shall lade on Board any such Goods to be landed and discharged in some other Port of the said Kingdom &c, shall before the Ship or Vessel be removed or carried out of the Port &c, take out a Cocquet or Cocquets and become bound to His Majesty with good Security, to the Value of the Goods, for the Delivery and Discharge thereof in the Port or Place for which the same shall be entered, or in some other Port or Place within the said Kingdom &c, and return a Certificate within Six Months; under the Hands and Seals of the proper Officers in every respective Port &c. where the same shall be landed

*Laws concerning Colliers and
Coasting-Vessels.*

landed and discharged; to the Officers to whom such Security had been given as aforesaid, That such Goods were landed and discharged accordingly, under the Penalty of the Forfeiture of the Bond &c.

NB. By Anno 5 Anne extended to Scotland.

Anno 5
Geo. I.
Cap. 11.
Sect. 3.

Foreign Goods taken in at Sea by any Collier, Fishing-Boat, or other Coasting-Vessel out of any Ship or Vessel to be landed or put into any other Ship, Vessel or Boat, within the Limits of any Port, without Payment of the Duties, *Forfeited*. And the Master of such Collier &c. shall forfeit treble the Value of such Goods, unless in Case of Necessity &c, and the Master, Purser, or other Person taking Charge of the Ship or Vessel out of which any such Goods shall be taken in at Sea; unless in Case of Necessity, as aforesaid; shall forfeit treble the Value of such Goods so unshipped.

Goods

*Laws concerning Colliers and
Coasting-Vessels.*

Anno 8
Geo. I.
Cap. 18.
Sect. 18.

Goods brought or coming into any Port of Great Britain, from any other Port within the same, by Coast-Cocquet &c, unshipped, to be landed before such Coast-Cocquet &c. shall be delivered to the Customer &c. of the Port &c. And Warrant made for Landing the same; The Master &c. taking Charge of the Ship, knowing and consenting thereunto, shall forfeit the Value of the said Goods, and foreign Goods; coming Coastwise; landed without the Presence of an Officer, *Forfeited*.

Anno 9
Geo. I.
Cap. 21.
Sect. 8.

Tobacco or other foreign Goods taken on Board any Coasting-Vessel beyond Sea, or out of any Ship at Sea or from any Port other than the Port from whence such Goods are certified, *Forfeited*, and double the Value, and the Master of the said Coasting-Vessel shall also *forfeit* the Value of the said Goods.

Officers

*Laws concerning Colliers and
Coasting-Vessels.*

Anno 9
Geo. 2di.

Officers of the Customs or Excise
may go on Board any Coasting-Ship
or Vessel and search for prohibited
or uncustomed Goods, and continue
on Board during the Ship or Vessel's
Stay in the Port, and if any
Person or Persons whatsoever shall
obstruct &c. any Officer &c. shall
forfeit £. 100.

So much as to the Laws concerning Colliers
and Coasting-Vessels.

Defects

Defects in the Laws concerning Colliers and Coasting-Vessels.

Notwithstanding the aforesaid Laws, it is found by daily Experience, That the Masters of Colliers and Coasting-Vessels make it a constant Practice, as they go from one Port to another; to take in great Quantities of the uncus- tomed and prohibited Goods, as also Certificate Goods, out of Ships and Vessels at Sea which hover about; for that Purpose; on the Coast of this Kingdom, and often steal over to *France*, *Holland*, and other Places, where they likewise take in considerable Quantities of such Goods, which they run on Shore to the great Detri- ment of the public Revenue and manifest Pre- judice of the fair Trader.

For Remedies whereof it is humbly pro- posed,

Remedies.

Remedies.

That no Master, Purser, Boatswain, or other Mariner taking Charge of any Collier, Coasting-Ship, or Vessel laden or unladen should under the Penalty of carry any such Collier, Coasting-Ship, or Vessel out of any Port, Member, or Creek within the Kingdom, before he declares in Writing under his Hand to the principal Officers of His Majesty's Customs at such Port, Member, or Creek, Whither such Collier, Coasting-Ship, or Vessel is bound, and gives Bond to His Majesty in the Sum of not to take in any Goods, Wares, or Merchandize out of any Ship or Vessel at Sea, (unless in Case of Distress, and when it so happens immediately to acquaint the Collector, Customer, or other Chief Officer of the Port or Place where he shall arrive therewith) nor to go to any foreign Port or Place within the Kingdom aforesaid other than such as should be mentioned in such Bond, (except being forced by Strefs of Weather) which Bond should not be discharged untill the said Master, Purser, Boatswain, or other Mariner taking Charge of such Collier, Coasting-Ship, or Vessel has within Days after

Remedies.

after his Arrival delivered to the Collector, Customer, or other Chief Officer of the Port, a Journal of the Voyage and a Certificate signed by all the Ship's Company, or the major Part thereof, in the Presence of one or more of the Coast-Officers of the Customs, that they have not taken in any Goods, Wares, or Merchandize out of any Ship or Vessel at Sea, and have not been in or at any foreign Port or Place within the Kingdom since their Departure from except as aforesaid, which Journal and Certificate the said Collector, Customer, or other Chief Officer of the Ports should transmit to the Collector, Customer, or other Chief Officer of the Port from whence such Collier, Coasting-Ship, or Vessel came, in Discharge of such Bond; Otherwise such Bond should be put in Suit as if really such Collier, Coasting-Ship, or Vessel had taken in Goods, Wares, or Merchandize out of some Ship or Vessel at Sea, or had been in or at some foreign Port or Place in Great Britain, other than such as should be mentioned in such Bond.

Which

Remedies.

Which Method would prevent any Master, Purser, Boatswain, or other Mariner taking Charge of any Collier, Coasting-Ship, or Vessel laden or unladen, from Running the Hazard of taking in any Goods, Wares, or Merchandize out of Ships and Vessels at Sea, (unless in Case of Necessity) as well as hinder them from stealing over to *France, Holland, Guernesey, Jersey &c.* so detrimental to the Revenue and Trade of this Kingdom.

*Laws concerning Ships, Vessels, and
Boats under 100 Tons.*

4thly ——— As to the Laws concerning
Ships, Vessels, and Boats under 100 Tons.

Anno 5
Geo. I.
Cap. 11.
Sect. 1.

It is enacted that no Ship, Vessel
or Boat under the Burthen of 15
Tons, shall import any foreign
Brandy, Arack, Rum, strong Wa-
ters, or Spirits of any Kind what-
soever (except only for the Use of
the Seamen not exceeding one Gal-
lon for each such Seaman) on For-
feiture of the Ship &c.

Sect. 8.

Masters &c. of Ships and Vessels
of the Burthen of 50 Tons or under,
hovering on the Coasts within the
Limits of a Port, to give their own
Bond to proceed on their Voyage;
On Refusal; or not departing Wind
and Weather &c. permitting; the
customable Goods to be landed and
entered, and the prohibited Goods
to be seized and prosecuted as also
the Ship, In Case she be liable to
Condemnation.

No

*Laws concerning Ships, Vessels, and
Boats under 100 Tons.*

Anno 6
Geo. I.
Cap. 21.
Sect. 30.

No Ship, Vessel, or Boat of the Burthen of 30 Tons or under, to import any foreign Brandy &c, (except only for the Use of the Seamen not exceeding one Gallon for each such Seaman) on *Forfeiture* of the Ship &c. as also such Brandy &c.

Sect. 32.

Ships and Vessels of the Burthen of 50 Tons or under, being in Part or fully laden with Brandy &c, found at Anchor or hovering within Two Leagues from the Shore and not proceeding on her Voyage &c, The Officers of the Customs may compell the Master of such Ship or Vessel to come into Port, and that such Master as likewise such Ship or Vessel and the Brandy wherewith such Ship or Vessel is laden, shall be subject to the same Rules &c, as such Ships and Vessels and the Master &c; which hover within the Limits of any Port &c; are by the said Act subject unto.

And

*Laws concerning Ships, Vessels, and
Boats under 100 Tons.*

Sect. 33. { And if the Master &c. of such
Ship or Vessel shall suffer any Brandy
or other uncustomed or prohibited
Goods to be put out of the said Ship
or Vessel into any Hoy &c, to be
laid on Land, or shall suffer any
Wool &c. to be put on Board such
Ship or Vessel, to be carried to Parts
beyond the Seas, shall; besides the
Penalties and Forfeitures &c; suffer
Six Months Imprisonment without
Bail or Mainprize.

Anno 8
Geo. I.
Cap. 18.
Sect. 1. { No foreign Brandy &c. shall be
imported in any Ship, Vessel, or
Boat of the Burthen of 40 Tons or
under, (except only for the Use of
the Seamen not exceeding Two Gal-
lons for each such Seaman) on For-
feiture of the Ship &c, as also all
such Brandy &c.

Anno 9
Geo. 2di. { Three or more Persons being as-
sembled and armed with Fire-Arms
&c, in order to be aiding and as-
sisting in the clandestine Running,
Land-

*Laws concerning Ships, Vessels, and
Boats under 100 Tons.*

Landing, Rescuing, or Carrying away any prohibited or uncustomed Goods &c, may be apprehended by Warrant of any Justice of the Peace, and committed to the County Goal, and upon Conviction of and for such Offence shall be adjudged guilty of Felony and shall be transported.

And Two or more Persons found passing together within Five Miles of the Sea, or any navigable River, with Horse, Cart &c. laden with more than Six Pounds of Tea or Brandy, or other Spirits exceeding the Quantity of Five Gallons &c, or with any other Goods or Commodities above the Value of £. 30 &c, to be deemed Runners of Goods, within the Meaning of the Act 8. Geo. I.

And Persons lurking within Five Miles of the Sea or any navigable River, not giving a satisfactory Account of themselves to the Justice before

*Laws concerning Ships, Vessels, and
Boats under 100 Tons.*

before whom he or they shall be brought, To be sent to the House of Correction, whipped and kept to hard Labour.

And if any Person shall offer any Tea, Brandy &c. to Sale, with or without a Permit, the Party to whom the same shall be so offered to Sale may seize and detain all such Tea, Brandy &c. And bring the Person or Persons, so offering the same to Sale, before any one of His Majesty's Justices of the Peace, to be by him committed to Prison &c; And such Tea, Brandy &c. may be prosecuted by such Person or Persons who stopped or seized the same, and on Recovery be entitled to a Third Part of the Gross Produce of the Sale of such Goods &c.

And any Ship or Vessel, from foreign Parts, having on Board Six Pounds of Tea, or Brandy &c. in Casks under Sixty Gallons, (except
C c for

*Laws concerning Ships, Vessels, and
Boats under 100 Tons.*

for the Use of the Seamen &c.)
found at Anchor or hovering within
Two Leagues from the Shore &c,
Such Tea, Brandy &c. is *forfeited* &c.

And foreign Goods taken in or
put out of any Ship or Vessel within
Four Leagues of the British Coast,
without Payment of Customs, (un-
less in Case of apparent Necessity)
Forfeited, and the Master &c. *for-
feits* treble the Value, and also the
Ship is *forfeited*, if not above 100
Tons.

Thus much of the Laws concerning Ships,
Vessels, and Boats under the Burthen of 100
Tons.

*Defects in the Laws concerning Ships,
Vessels, and Boats under 100 Tons.*

For as much as the Laws, above recited, have by Experience been found ineffectual to prevent the fraudulent Landing of uncustomed, prohibited and Certificate Goods out of Ships, Vessels, and Boats under the Burthen of 100 Tons, the Masters of which make it a constant Practice to meet Ships and Vessels at Sea, and steal over to *France, Holland, Guernesey, Jersey* and the *Isle of Man*, and take in considerable Quantities of such Goods, which they privately run on Shore, being often assisted by great Numbers of armed Men to carry off the same, who are frequently too powerfull for the Officers of the Customs and the Civil Magistrate to obstruct them, And it is moreover a very great Detriment to the Nation, Because most Part of such Goods are purchased with our own Gold and Silver, and what is still worse with English and Irish Wool, to the Decrease of Ours and Increase of the *French* Trade in the Woollen Manufacture.

Wherefore it is humbly proposed, to prevent such pernicious Practices for the future, in the Manner following.

Remedies.

Remedies.

That no Master or other Person taking Charge of any Ship, Vessel, or Boat under the Burthen of laden or unladen should under the Penalty of carry any such Ship, Vessel, or Boat out of any Port, Creek, or Member in Great Britain, to open Sea, before he declares in Writing under his Hand to the principal Officers of His Majesty's Customs at such Port, Creek, or Member, whither such Ship, Vessel, or Boat is bound, and upon what Business, whether upon Account of Fishing or otherwise, who should without Fee or Reward give the Master of every such Ship, Vessel, or Boat, a Sufferance or Warrant for making the Voyage, and that on the Return or Coming of any such Ship, Vessel, or Boat, into that, or any other Port, Creek, or Member within the Kingdom, the Master should immediately deliver to the proper Officer such Sufferance or Warrant and a true Journal of the Voyage, signed by all the Ship's Company, which he should file and register, and in Case such Ship, Vessel, or Boat should not belong to such Port, Creek, or Member, but come from some other Port or Place, then such Sufferance and Journal should be transmitted

Remedies.

mitted to the principal Officers of His Majesty's Customs, there, for their Observation; And, if it should appear that such Ship, Vessel, or Boat has been in or at any foreign Port, or has been in or at any other Port within the Kingdom aforesaid, other than such as should be mentioned in such Sufferance or Warrant, (except being forced by Strefs of Weather) the Master should forfeit and if any British built Ship, Vessel, or Boat, under the Burthen aforesaid, navigated by His Majesty's Subjects, should presume to come from and after the Day of laden or unladen from *France, Holland, Guernesey, Jersey, Alderney, Sark, or the Isle of Man* into any Port, Creek, Harbour, or Road in Great Britain or within the Limits of the same, without taking out such Sufferance or Warrant as aforesaid, should be *forfeited* and lost with all her Guns, Tackle, Apparel, Ammunition, and Furniture, Which will prevent all those outlawed Fugitives living in *Zee-land &c.* and all those dissolute and disorderly Persons that appear in great Gangs near the Sea-Coasts, from being concerned in Smuggling for the future; by which Means the Revenue in the Article of Tea only might have been

Remedies.

been advanced upwards of £. 300, 000 pr. Annum, If the Duty had not been lessened last Session of Parliament to prevent the Running of it; For it is an undoubted Truth, which every one does or may know, That the *French* and *Dutch* sell their ordinary Tea Cent per Cent cheaper than we do ours, So that if the Duty was reduced to Twelve Pence a Pound, our Smugglers would venture to fetch it, for Want of proper Checks and Restraints where the Profit is so very great, being always sure of a Market here, not to omitt the Fondness of our People for all Sorts of prohibited and uncustomed Goods.

Ireland

Ireland and Plantations.

5thly — And whereas it is notorious that the clandestine Running of Goods, Wares, and Merchandize, on Shore in Ireland and in His Majesty's Plantations, without Payment of Duties, are carried to as great a Height as in Great Britain; I would therefore humbly offer that these Proposals should be extended thither,

Wool

Wool &c.

6thly ——— And whereas there are divers Acts of Parliament now in Force to prevent the Exportation of Wool, Woolfells, Mortlings, Shortings, Yarn made of Wool, Woolflocks, Fullers Earth, Fulling Clay, and Tobacco Pipe Clay, from Great Britain and Ireland to Parts beyond the Sea, which are needless to mention, because of their not having answered the Purposes for which they were intended.

For the Remedy whereof It is humbly proposed,

That there should be inserted in every Bond, Declaration, and Sufferance, in the several Proposals before mentioned, a Clause not to export nor suffer to be exported any Wool, Woolfells, Mortlings, Shortlings, Yarn made of Wool, Woolflocks, Fullers Earth, Fullers Clay, or Tobacco Pipe Clay, from or out of any Port, Member, or Creek in Great Britain or Ireland to Parts beyond the Seas, on Forfeiture of , So to be entered into by every Master, Purser, Boatswain, or other Mariner taking Charge of any Ship, Vessel, or Boat, when he makes his Clearance at the Custom-House in any Port, Member, or Creek in Great Britain

Wool &c.

Britain or Ireland aforesaid, and likewise there should be inserted, in every Certificate before mentioned, a Clause signifying that the Condition of such Bonds, Declarations, and Sufferances, have been performed,

All which puts the Navigation of these Kingdoms into such a Method of being looked after, That it will be very difficult to defraud the Customs or to run any Wool &c. to foreign Parts, without being detected.

7thly ——— And I further humbly beg Leave to offer, for the Advancement of Trade and Encouragement of the Woollen Manufacture, That there should be paid out of the Revenue of Ireland, a Bounty of, for every Pound Weight of Irish Wool that shall from and after be exported to Great Britain, That the Wool-Growers of Ireland may be upon as good a Footing as they are now, by Running their Wool to foreign Parts.

Penal Clauses, and how prosecuted.

8thly ——— That the several Penal Clauses in the Acts now in Force against the Running of Goods, Wares and Merchandize on Shore, without Payment of Duties, and the Relanding of Certificate and Debenture Goods, and the several Penal Clauses in the Acts now in Force against the Running of Wool, Woolfells, Mortlings, Shortlings, Yarn made of Wool, Woolflocks, Fallers Earth, Fulling Clay, and Tobacco Pipe Clay, and the several Penal Clauses in the foregoing Proposals; should they be passed into a Law; should be printed and read at the Assizes, Quarter-Sessions, and Lawdays, and at times in a Year, in all Parish-Churches and other Places of Divine Worship, If thought proper.

9thly ——— . And the several Penalties and Forfeitures above-mentioned, should be prosecuted and determined by Bill, Complaint, or Information, in any of His Majesty's Courts of Record at Westminster, or in the Court of Exchequer at Edinburgh, or in the Courts of Dublin, or Courts of His Majesty's Plantations, respectively, wherein no Effoign, Protection, or Wager at Law should be allowed, and one Moiety of the said several Penalties and Forfeitures should be to the Use of His Majesty, His Heirs and Successors, and the other Moiety, to such Person or Persons as will sue for and prosecute the same.

Reca-

Recapitulation.

RECAPITULATION of the Heads of the preventing Articles in the foregoing Proposals.

1st — *Upon Importation.*

That the Masters of all Ships and Vessels, arriving from Parts beyond the Seas, should deliver to the Officers of the Customs, as soon as they come on Board, An Inventory of their Lading with the Particulars, Marks, Numbers &c, and that no Hatch, Scuttle or Place, going into the Hold of such Ships, should be opened but in the Presence of one or more of the said Officers.

2dly — *Upon Exportation.*

That when any Certificate or Debenture Goods are shipped on Board any Ship or Vessel for Parts beyond the Seas, the Master should (over and above all other Securities) give Bond not to Reland them, and when he has really and truly landed them in the Port or Place for which the same shall be entered, he should have his Bond delivered up and cancelled upon a Certificate being produced.

3dly

*Recapitulation.*3dly — *Upon Colliers and Coasting-Vessels.*

That no Master should carry any Collier, Coasting-Ship, or Vessel, laden or unladen out of any Port &c, before he declares to the Officers of the Customs in Writing under his Hand the Name of the Place where he is bound, and gives Bond not to take in any Goods, Wares or Merchandize out of any Ship or Vessel at Sea (unless in Case of Distress &c.) nor to go to any foreign Port &c. nor to any other Port &c, other than such as should be mentioned, (except being forced by Strefs of Weather) which Bond should be discharged by a Journal and Certificate.

4thly — *Upon Ships, Vessels and Boats under 100 Tons.*

That no Master should carry any Ship, Vessel, or Boat under the Burthen of, laden or unladen, out of any Port &c. to open Sea, before he declares to the Officers of the Customs, in Writing under his Hand, the Name of the Place where he is bound, and takes out a Sufferance or Warrant for making the Voyage, and that on his Return or Coming into any Port &c, he should immediately deliver

Recapitulation.

liver to the proper Officer such Sufferance or Warrant &c; and no British built Ship, Vessel, or Boat, under the Burthen aforesaid, navigated by His Majesty's Subjects, should come laden or unladen from *France, Holland, Guernesey, Jersey, Alderney, Sark, or the Isle of Man,* into any Port, Harbour, or Road in Great Britain, without such Sufferance or Warrant as aforesaid.

5thly — The same Methods to be observed in *Ireland &c.*

6thly — *Upon Wool &c.*

That there should be inserted in every Bond, Declaration and Sufferance; before mentioned; a Clause not to export nor suffer to be exported any Wool &c, and likewise there should be inserted in every Certificate before mentioned, a Clause signifying that the Condition of such Bonds, Declarations, and Sufferances have been performed.

7thly — *For the Advancement of Trade.*

That there should be paid out of the Revenue of Ireland a Bounty of
 for every Pound Weight of Irish
 Wool

Recapitulation.

Wool that shall from and after
 be exported to Great Britain.

8thly — *Penal Clauses.*

That the several Penal Clauses in the Acts now in Force against the Running of Goods &c, and the several Penal Clauses in the Acts now in Force against the Running of Wool &c, and the several Penal Clauses in the foregoing Proposals; should they be passed into a Law; should be printed and read &c.

9thly — *How prosecuted.*

And that the several Penalties and Forfeitures before mentioned, should be prosecuted and determined by Bill, Plaint, or Information, in any of His Majesty's Courts of Record &c.

Conclu-

Conclusion.

Upon the Whole, It cannot be doubted but if the several Proposals before mentioned were passed into a Law and duely executed, It would totally prevent and obstruct the clandestine Running of Goods, Wares, and Merchandize on Shore, without Payment of Duties, and the Relanding of Certificate and Debenture Goods, as also the pernicious Practice of Running Wool &c. from Great Britain and Ireland to Parts beyond the Seas, for the future, and advance the Revenue of the Customs a great many Hundred Thousand Pounds per annum; If not more than double.

And as the Methods, hereby proposed to remedy these Evils, are both easy and practicable, and without any Expence to the Public, It is presumed this destructive Practice of Smuggling will be for ever extinguished, and the rather, because our Smugglers daily carry over to *France* &c. our Gold, Silver, and Wool of considerable Value, Wherewith they purchase Wine, Brandy, Linnen, fine Lace, Cambricks, Lawns, Brocades, Velvets, Tea, Coffee, and other Goods, which they run upon us in such Quantities, as must in Time, not only drain us of our Money, but ruin the Trade of our Woollen Manufacture, Especially

Conclusion.

pecially to *Leghorn* and *Turkey*, where the *French* of late have prodigiously increased their Woollen Trade; Whereas the Trade of these Kingdoms has proportionably decreased thither, to the utter Ruin of many Thousands of His Majesty's Subjects, by the pernicious Exportation of English and Irish Wool: Besides, there is such an Evil in this Smuggling-Business, that a private Correspondence may be carried on between the *French* and the Papists of Ireland, and the *French* and Disaffected in England, as may extremely hazard, in an unfortunate Conjunction, the Security of the Protestant Interest of these Kingdoms, and if I am not vastly mistaken the present unnatural Rebellion has been greatly encouraged by this wicked Correspondence.

But if this pernicious Practice of Smuggling Goods, Wares, and Merchandize on Shore, without Payment of Duties, and Relanding of Certificate and Debenture Goods, and Running Wool from Great Britain and Ireland to Parts beyond the Seas, goes on, There will not be left an honest Merchant or a fair Trader in the Kingdom, besides our Parishes will be overburthened with Poor for Want of Employment, if they are not so already.

The

Conclusion.

The true Principle of all Government is to improve it's Revenues to the Heighth, and to put all Merchants and Traders upon an equal Footing one with another, and either prohibit all foreign Superfluities, or, if allowed to be brought into the Country, to tax them in Proportion to the Damage they do to the Product and Manufacture thereof.

Tea does not only drain us of our Money, but it introduces Idleness and Laziness among us, and therefore ought to pay a greater Duty than it does, to ease the poor Manufacturer of some of those Taxes that lye heavy upon him, Such as Soap, Candles, Leather &c.

A Pound of Tea makes about Eight Gallons of Liquor, and a Bushel of Malt makes about the same Quantity of Ale, the Duty of one, including the Land and Malt-Tax, pays about Two Shillings, and the Duty on the other, if it is the ordinary Sort; Notwithstanding it is a foreign Superfluity; pays no more, But it is ten to one whether it pays any Duty or no, such Quantities of it being daily Run.

Conclusion.

A poor Malster, Brewer, Victualler &c. that is guilty of no Fraud, and happens by some Misfortune or other to be in Arrears of Duty, has all his Goods and Utensils seized upon, to make good the same, which is not the Case of the Smugglers who are frequently forgiven, after having been guilty of the most notorious Offences, which makes our Commerce nothing but a Combination of Thieves, the Bane of Industry and Trade.

It is therefore humbly hoped, for the Reasons aforesaid, that these Proposals will be taken into Consideration, and not let our Enemies abroad and at home steal such prodigious Sums of the Nation's Money into their Pockets as they do, for Want of putting in Execution the above Remedies to prevent them.

Postscript.

Postscript.

P. S.

But if it should be thought hard that no Provision should be made for an honest Merchant, who must lose his Goods because the Master of the Ship neglects to give an Account of them in the Inventory, I submit in that Case, whether it may not be reasonable that such Goods should be admitted to an Entry, upon the Merchant's producing his Bill of Lading for them, and making Oath that he never gave, nor any Body for him, any Directions to the Master to leave the Goods, which should have been specified in the Affidavid, out of the Inventory, and that he is the real Proprietor of them; and to leave the Determination of this Point to the Board of Customs: But then the Merchant's Bill of Lading should subject the Master to the Penalty
of

of making a false Entry, which according to my Observation has seldom or never been recovered, for Want of being able to prove that the Master of the Ship had Knowledge of the Coming on Board of such Goods, which he always pretends to be ignorant of, but in this Case he cannot.

All which is most humbly submitted.

Robert Bonell.

Mr.

Mr. ROBERT BONELL'S

Addition to his Scheme.

Presented 15 April 1746.



To the Honourable the *Committee* of the
Honourable HOUSE OF COMMONS,
 to enquire into the Causes of the
 most infamous Practice of Smuggling,
 and to confider of the most effectual
 Methods to prevent the said Practice.

The three following Articles; which are
 now humly offered to be confidered
 with those I have already done my-
 self the Honour to lay before You and which
 are Additional Ones; should have been men-
 tioned in their Places in my former Proposals
 for

for effectually preventing all Manner of Smuggling, Fraud, and Abuses in the Customs &c.

The First of them should come under the Class of Remedies relating to the Exportation of Certificate and Debenture Goods.

The Second under Remedies relating to Colliers and Coasting-Vessels. And

The third Article; the Hint of which I own to have received from the honourable Admiral *Vernon*; should come under the Remedies for preventing Ships, Vessels, and Boats under 100 Tons, from being concerned in Smuggling for the future.

I. — That the Contents of all Certificate and Debenture Goods should be marked on the Outside of the Package of them, at the Custom-House, in large Capital-Letters, before they are shipped for Parts beyond the Seas, with the Word *Certificate* or *Debenture*. That the Masters, Mates, Purfers, Gunners, and Boat-swains of Ships, or the major Part of them may

may the more readily certify the Landing of them, in Places where no Officer belonging to His Majesty resides.

2. ——— That instead of the Ship's Company, of Colliers and Coasting-Vessels, signing Certificates, the Masters only should sign them in the Presence of the Ship's Company and Coast-Officers.

3. ——— That every Sailor found on Board such Ship, Vessel, or Boat, above-mentioned, should be immediately taken and sent by the Officers of the Customs &c, on Board some of His Majesty's Ships of War for Years, and not to be discharged from thence on any Pretence whatsoever; and if any other Ship, Vessel, or Boat should be found upon the Coast, and appear to be the Property of any Foreigner or Foreigners, and have any of our English Sailors on Board, every such English Sailor should be likewise taken and sent into His Majesty's Service, as aforesaid; Because Foreigners cannot smuggle Goods on Shore upon our Coast, with-

without the Help of English Sailors, as I have been informed by a Person well skilled in that Business.

And I further humbly beg Leave to offer, That the Masters of all Boats and Wherries who attend upon the Masters &c. of Ships, whilst they are loading, should take out Licence and give Security, as the Masters of those Boats, Wherries, Pinaces, Barges, or Galleys, that row with more than Four Oars, must do; by the Act of Anno 8 Geo. I. Cap. 18. Sect. 4 and 5; if they use them, By Reason the Masters of these Boats and Wherries, at the Time of Attending upon the Masters &c. of Loading and Unloading Ships, Run considerable Quantities of Goods on Shore without Payment of Duties.

14 April 1746.

Robert Bonell.

Genuine

Genuine and Interesting

LETTERS &c.

To the Right Honourable

The LORDS of the TREASURY,

and to the Honourable

The COMMISSIONERS of the
CUSTOMS,

Concerning the Infamous Practice
of SMUGGLING

and other *Outrages* carried on in the
I S L E of *M A N*,

With

A Propofal to remedy
the fame.

Genuine and Interesting

LETTERS &c

To the Right Honourable

The Lords of the TREASURY,

and to the Honourable

The Commissioners of the

CUSTOMS,

Concerning the infamous Practice

of SMUGGLING

and other Outrages carried on in the

ISLE of MAN,

With

A Proposal to remedy

the same.

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On His Majesty's Service.

To the Honourable the Commissioners
of His Majesty's Customs.



HONOURABLE GENTLEMEN,

Lately making a Tour through some Part of His Majesty's Dominions, to the N. Westward, when arriving at *Liverpool*, Curiosity induced me to visit the *ISLE of MAN*, in which I landed on Tuesday Morning July 3d 1750 about Six Miles to the Northward of *Douglafs* Town, to which I made the best of my Way and arrived there about Noon. This Town of *Douglafs* in Appearance seems poor, by Reason their Buildings are low and straggling, nevertheless contains many Inhabitants, who are chiefly Smugglers, and who have resorted thither from all Parts, some of which are outlaw'd in *England* and *Ireland*, and who by that pernicious Trade of Smuggling

ling have greatly enriched themselves, to the great Detriment of His Majesty's Revenues, and the fair Traders His Subjects. These Smugglers are now come to such a Height, by being protected and countenanced by the *two Dempsters* or Deputy Governors of this Isle and others, That they often assemble themselves together, caballing and forming Schemes against His Majesty and Government, and drink his D——n and all his Royal Issue and such like Healths; and Prosperity and Success to the P——r; This has been complained of by His Majesty's Officer in the *Isle of Man*, to the *Two Dempsters*, but they say that they have nothing to say to it; That the *Duke of Athol* is their Sovereign only, and as to the King of *England*, they have no Law in that Island to punish such Offenders, and that His Majesty was nothing to them: so that these Smugglers glory in their Treasure; and are suffered to do so; together with their illegal Proceedings, with Impunity.

These Smugglers have built at *Douglass* a good Key, to shelter their Shipping and Craft from bad Weather, and that it may be more convenient and ready for landing their Goods; and tho' this Harbour is dry at low Water, yet is a safe and large one, and may contain near 70 Sail of Shipping.

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From this Town of *Douglafs*, I went to *Castle-Town*, the Metropolis of the Island, in which is an ancient Castle, wherein they keep their Courts of Judicature and also confine all Prisoners whether for Murder, Felony, or otherwise. In Visiting the Castle I observed five or six *English* Seamen confined; I demanded the Reason, they told me they belonged to the *Sincerity Cruizer* in His Majesty's Service in the Customs; that they had made a Seizure of Money in an *Irish* Smuggling-Wherry, and also a *Dutch* Dogger loaded with Teas, India Goods &c; But the next Day had the following Account from Captain *Dow*, Commander of the said Cruizer.

That on June 26th 1750, according to his Instructions and Orders in that Behalf received, from You, Honourable Gentlemen, the Commissioners of the Customs, being upon his Duty upon the *Isle of Man*; namely in *Douglafs* Road; when a noted *Irish* Smuggling-Wherry from *Ireland* run under his Stern; the Smugglers in which, with opprobrious, treasonable and abusive Language, abused His Majesty King George, and all that belonged to or served under him; upon which Captain *Dow* immediately made him come on Board, and after rummaging of him, found concealed in a Jarr of Buttermilk, Twenty five Guineas English, tyed up in a Bag,
and

and also Papers shewing that the said Moneys was to be laid out in Brandies, Teas &c, and that he was then to return with his Cargo to *Ireland*; Upon the same, He the said Captain made a Seizure of the Money and Papers for His Majesty's Use; That also on the same Day a *Dutch* Dogger, loaded with prohibited Goods from *Holland*, came into *Douglafs* Road; which the said Captain seeing come to an Anchor, sent his Boat, with his Mate and Six Men in it, on Board the said Dogger to examine her, and if she proved to have prohibited Goods on Board, to seize her in His Majesty's Name and for His Majesty's Use, according to an Act of Parliament in that Behalf, (i. e.) Act. 7. Geo. I. Ch. 20, Sect. 19. The Captain at the same Time employed Mr. *Sidebotham*, His Majesty's Officer in the *Isle of Man*, to cast off his Fasts, fastened on Shore, but a tumultuous and riotous Mob of these Smugglers arising, (fearing least if the Cruizer should get out, the Captain would seize this said Dogger) would not permit Mr. *Sidebotham* to cast off the Fasts, but came down upon the Key armed with Bludgeons, Muskets, Swords and Stones; endeavoured to force the said Cruizer on Shore, by assaulting the said Cruizer's Men with Showers of Stones, and hindering the said *Sidebotham* from Casting off the Fasts, and carrying him away by Violence and Force, and beating and bruising the said

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Sidebotham in a most cruel and barbarous Manner; That Captain *Dow*, perceiving their Intention of forcing the said Vessel on Shore, cut his Cable, and desired the said Mob to disperse themselves in His Majesty's Name, but they not minding him, still continued to throw Stones; the Mate and his six Men coming to his Assistance seeing the Fray, and leaving the said Dogger, the said Dogger got under Sail; the Mob still throwing Stones, the Captain fired amongst them after they had wounded him and two of his Men; by which Means they dispersed for some Time, and he the said Captain had thereby Opportunity to get his Vessel clear off, and immediately followed the said Dogger, and run her on Shore upon the Sands at *Ramsay*, a Town upon this said Island to the Northward of *Douglass*, and again sent his Mate and ten Men on Board the said Dogger, who made a Seizure of her in His Majesty's Name, showed his Deputation, and marked her in several Places with the Sign of a broad Arrow. That upon the said Mate's attempting to open the Hatches, several of the *Islanders* of *Man*, that were secreted on Board, as also two Boats with armed Men, coming off the Shore, they seized the said Mate and Men, and threaten'd them with Death in Case of Resistance, carried them ashore Prisoners, shut them up in Cellars, till they carried them to *Castle-Town* Castle;

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went to work immediately upon the said Dogger's Cargo, and landed it; Some Days after the said Rioters released six Men of the said Eleven, to take Care of the *Sincerity* Cruizer, and the other five they still detain, untill the Captain will refund the Money which he seized in the *Irish* Wherry; and in order to frighten the Captain thereto, sent him Word his Men should be tryed before one of their Courts of Judicature the Thursday following, in Case he did not forthwith send the Money, which accordingly they perpetrated; And on Thursday July 5th 1750, as Captain *Dow* would not trust himself on Shore, and desired of me that I would be present at the Tryal of his Men, I accordingly went: And about ten o' Clock in the Morning the five Prisoners were called up to the Bar, but the other six Men, which they had released to take Care of the Vessel, not being present, the Prisoners were remanded back; When Mr. *William Dow*, Capt. *Dow's* Son, and Mr. *Gill*, Attorney for the Prisoners, appearing for them, after some Deliberation, they began to proceed to Tryal; then an Objection arose, Captain *Dow* not being present, and the Court wanting to see his Commission, Orders, and Instructions; upon which I said that no Officer in His Majesty's Service, that knew his Duty, would or ought to shew his Orders and Instructions to any one who had

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not a Right to demand them; and was well assured Captain *Dow* would not. I then acquainted the *Two Dempsters* of the Consequences of detaining His Majesty's Men from their Duty; how detrimental it might be to His Majesty's Service, and that keeping and detaining His Majesty's Arms and Boat, willfully and knowingly, was a Robbery committed against His Majesty; that they did not belong to Captain *Dow*; for if they pleased to look upon the Boat it was marked with the King's Mark, a broad Arrow, and the Arms G. R. with a Crown over the two Letters; And that People that acted in the Manner as had been acted in Defiance, and in open Rebellion against His Majesty; That if Captain *Dow* had gone beyond his Orders, he was not only liable to make Restitution by the Laws of *England*, but to pay all Costs and Damages; and be liable to the Censure of not doing his Duty, and thereby possibly fall under the Displeasure of the Honourable the Commissioners of the Customs, and be turned out of his Bread. Mr. *Denis* then argued with them in Point of the Legality of their Proceedings; upon which the Tryal was put off 'till five in the Evening of the same Day; the Court saying Capt. *Dow* should have Time to consider of it. This Mr. *Denis* (a Gentleman who accompanied me in this Tour) is a Lieutenant of Marines now in half

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Pay, but was bred to the Law, and before his Preferment in the Army was one of the Under-Clerks of Parliament.

About five in the Evening the Tryal was again upon the Carpet, but nothing done; and Mr. *Gill*, the Attorney for Capt. *Dow*, (the only one in the Island that would plead in the Behalf of His Majesty or His Officers) whenever he offered to speak was brow-beaten by the Court, especially by Mr. *John Taubman, Dempster*, and threaten'd to be confined in Case he was not silent; and he told me, that as often as any thing came before their said Courts, wherein His Britannick Majesty was concerned, it was ever the same, and that he was often threaten'd with being put in the Dungeon for speaking for the King. These Disputes ended with putting off the Tryal of Capt. *Dow's* Men, 'till August 7th 1750. — Capt. *Dow* finding he could not get his Men released, weighed Anchor from *Darby Haven*, and run down to *Ramsay* to take in his Men that were there, which had been detained as before mentioned; and from thence sailed to *Whitehaven*, where he arrived on Tuesday July 10th 1750.

I had the Pleasure in this Place to be acquainted with several Merchants, who, discoursing upon the aforegoing Affairs, assured me
nothing

nothing was more prejudicial to the Government and it's Revenues, than the continual Practice of Smuggling daily and hourly committed from and to the *Isle of Man*; that Wherries sail in Fleets; loaded with Brandies &c. into *Scotland* and *Ireland* frequently, and that it was very detrimental to them, as well as to every of His Majesty's Subjects the fair Traders, and particularly to the *India Company*, whose Goods and Merchandize shall be laying by and not find a Market, when at the same Time the *Dutch* shall send large Cargoes, whose Worth sometimes shall amount to *Ten Thousand Pounds* and upwards, to be run and sold at a cheap Rate from this Island, into the three Kingdoms; whilst the principal Authors and Actors shall grow rich by their Fraudulency and Male-Practices with Impunity. — Mr. *Joseph Burrow*; who has been Collector of the Port of *Whitehaven* many Years; in conversing on the same Subjects aforesaid, said he could make it appear to the Government, That the pernicious Trade of Smuggling from the *Isle of Man*, only, amounted to the Sum of *One hundred and Fifty thousand Pounds* annually, out of the Revenues of the Government.

Mr. *Sidebotham*, His Majesty's Officer in the said *Isle of Man*, can likewise make it appear, that the Customs and Duties of that Island, twenty

twenty Years ago, did not amount to the Lord thereof, to *five hundred Pounds* annually, but that now they are above *Five thousand Pounds* per annum; entirely owing to that Nest of Smugglers, and People who have fled from Justice in *England* and *Ireland*, taking up their Residence in this said Isle, and from the Encouragements of the Deputy Governours or *Dempsters* thereof. Whilst at *Whitehaven*, I one Day had the Pleasure of dining with the Reverend *Doctor Pocock*, Archdeacon of *Dublin*, and Chaplain to the *Earl of Chesterfield*, who, in mentioning the abovesaid Affair of Capt. *Dow's*, told me he was in the said Isle at the same Time the Affair happened, that he was no Stranger how ill he was treated, and that he the said Doctor was ready to appear; if the Government or the Honourable the Commissioners of the Customs thought proper to make an Enquiry; to tell what he knew of that Affair of Capt. *Dow's*, as also the many Irregularities and evil Doings of that Island.

The Reverend *Doctor Wilson*, Son to the Bishop of the said Island, can also relate and lay open the Villanies of this Island, whenever the Government shall think it necessary.

The following is a Copy of Mr. *Sidebotham's* Letter to the Honourable the Commissioners of
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the Customs, which he sent to You, Gentlemen, on Account of the ill Treatment he received at *Douglafs* in attempting to cast off the Fast, that were fastened on Shore, belonging to the *Sincerity* Cruizer, Captain *George Dow* Commander.

DOUGLAS, ISLE of MAN,
July 7th 1750.

May it please Your Honours,

On the 26th of the last Month arrived in *Douglafs* Road a large *Dutch* Dogger loaded with Teas, and other *India* Goods from *Holland*; and as I had Intelligence of such a Vessel being expected to arrive in the said Road, I had before acquainted Captain *George Dow*, Commander of the *Sincerity* Cruizer, thereof, who then lay in *Douglafs* Harbour, who sent his Boat off to her in order to examine her, and who upon observing that she hastily made Sail from *Douglafs* Road towards *Ramsey*, and he being determined to follow her, gave immediate Orders for unmooring the Vessel; but he having that Morning seized Twenty five Guineas concealed on Board a noted *Irish* Smuggling-Wherry, which was then coming into

into *Douglafs* from *Ireland* in order to carry off prohibited Goods, *Paul Bridson*; Deputy Searcher to his Grace the *Duke of Athol*; at the Head of the Populace of this Town, armed with Swords, Bludgeons and Stones, came in a most outrageous and riotous Manner to the Key of this Town, whereupon the said *Dow*, apprehending his People might be ill used if they went on Shore, desired I might cast off the said Moorings, which when I attempted to do, the Mob assaulted me and knock'd me down, and I believe would have actually attempted my Life, if a certain Gentleman had not come to my Assistance, which, Capt. *Dow* perceiving, ordered one of his People to cut away the said Moorings; but the said *Paul Bridson* and his Mob perceiving the same, cast off his Quarter-Fast that so the Vessel might go on the South Rocks, which accordingly happened, and by which Means Captain *Dow* was thereby detained a considerable Time, during all which Time Mr. *Bridson's* Mob, threw Showers of Stones on Board the Cruizer, by which the said Captain *Dow* and two of his Hands were severely hurt; upon which the said Capt. *Dow* continued to desire the said *Bridson* (in His Majesty's Name) to disperse and take away his Mob, which he refusing to do, the said Capt. *Dow* was obliged for his own Security to fire amongst the Mob; That he having at last got clear,

clear, he went off to *Ramsay*, in Pursuit of the said Dogger, whom he obliged that Afternoon to run on Shore upon *Ramsay Sands*; upon which Captain *Dow* having sent his Mate and Ten Hands on Board the said Dogger, the said Mate seized upon the said Dogger and Cargo for His Majesty's Use, as I have been since informed. That soon after *Matthias Christian*, a Petty Officer belonging to the *Duke of Athol*, came on Board the said Dogger with a great many Men in two Boats and seized upon the said Mate and ten Men belonging to Captain *Dow*, and took from them their Arms and Boat, and carried them Prisoners on Shore to *Ramsay*, and kept them all close confined in Houses, till the said Cargo was run, and thereafter carried them to *Castle-Town*, upon a pretended Action of Arrest, granted against the said Captain *Dow* for seizing and detaining the above-said Money for His Majesty's Use; and upon which Pretence they now detain in the Castle of *Castle-Town*, five of the said Captain *Dow's* Men, together with His Majesty's Arms and Boat; notwithstanding they have been frequently demanded by the said Captain *Dow* in His Majesty's Name; by Means whereof the said Captain *Dow* has been much disabled and hin-

hinder'd from going about his Duty, to the great Detriment of His Majesty's Service, all which is humbly submitted to by

Your Honour's

most obedient and faithful Servant

To the Honourable
The Commissioners of His
Majesty's Customs.

PETER SIDEBOTHAM.



The following is a Copy of Capt. George Dow's Protest in *Whitehaven* July 12th 1750.

On the 12th Day of July 1750 before me *John Winnington*, Notary and Tabellion Publick dwelling in *Whitehaven*, by Royal Authority duly admitted and sworn, and in the Presences of the Witnesses herein after-mentioned, personally appeared *George Dow*, Commander of the *Sincerity* Cruizer in the Service of His Majesty's Commissioners of the Customs who said and declared; That *Daniel Mylre* and *John Taubman*, Deputy Governours of the *Isle of Man*, on the 26 Day of June last, gave Orders to *Paul Bridson*, Customer in *Douglas* in the said Island, and *Matthias Christian*, Deputy Searcher in *Ramsey*, for the assembling

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great Number of People unknown to this Ap-
 pearer, to the Amount of several Hundreds of
 Men, who under such pretended Orders did,
 in a riotous and tumultuous Manner, assemble
 themselves armed with Fire-Arms, Swords,
 Bludgeons and Stones, and endeavoured by Force
 to stop this Appearer from proceeding with the
 said Cruizer in Pursuit of the *Hope Dogger* of
 ——— loaded with *India Goods* from *Rotter-*
dam for the *Isle of Man*, on Account of *Tho-*
mas Arthur and others, Merchants there, then
 lying at Anchor off *Douglafs Head*; That the
 said *Paul Bridson* at the Head of the said Mob
 did seize and take by Force *Peter Sidebotham*,
 His Majesty's Surveyor of the Customs in that
 Island, and dangerously beat and bruise him;
 he then being employed in casting this Ap-
 pearer's Cable off, and this Appearer was obliged
 to cut his Cable to get away, to pursue the said
Dogger; That after carrying away the said
Sidebotham, the said *Bridson* returned with the
 said Mob again to the Key; This Appearer
 in His Majesty's Name required the said *Brid-*
son, and the said Rioters to disperse; which
 they refused to do, but went to the Place where
 the Cruizer's Quarter was made fast, and cast
 off her Quarter-Fast, which immediately brought
 the Cruizer in Danger of being wrecked; and
 with an Intent to let the *Dogger* go without
 being seized; And this Appearer further declareth,
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that it was with great difficulty that he got his Ship off the Rocks, it blowing fresh, and this Appearer endeavouring to get her under Sail, the said riotous Mob did throw great Showers of Stones at this Appearer and his Crew; one of which Stones hit this Appearer on the Breast, and bruised him Sore, and two of his Ship's Crew thereby disabled; on which this Appearer was obliged to Fire amongst the Mob in his own Defence; and this Appearer further declareth and saith, That on the same Day, he forced the said Dogger on Shore on *Ramsay* Sands, and having sent *James Gordon* his Mate and ten Men armed on board the Dogger, who found a great Quantity of *Tea* and other *India Goods* on Board, the said *James Gordon* seized the said Dogger and her Cargo for his Majesty's use, and put the broad Arrow in several places upon her, but the said *Daniel Mycrea* and *John Taubman* did Order the said *Matthias Christian* to Arm all *Ramsay* People in order to rescue the said Dogger and her Cargo; seized in manner aforesaid. And this Appearer declareth and saith, That the said *Matthias Christian*, about ten o'Clock in the Night of the said 26th Day of June, did enter on Board the said Dogger on *Ramsay* Sands with two Boats full of Armed Men, and the said *Matthias Christian*, with a Pistol cocked in his Hand, did take and Apprehend the said *James Gordon*, and threaten him with Death in

case of Resistance, and with his Men in the
 Boats, and about forty *Manks-Men*, who were on
 Board the Dogger concealed under the Hatches,
 who immediately Sallied out and came upon
 the Deck, to the said *Christian's* Assistance; took
 away the said *Gordon* and ten of the Appearer's
 Crew, the Boat and its Appurtenances, six Mus-
 quets, six Cutlasses, one Blunderbuss, and one
 Tuck, &c. All belonging to his Majesty's said
 Cruizer; And that the said *Matthias Christian*,
 with the help of *Anthony Calister* of *Douglafs*,
 Merchant, did beat and bruise *George Booth* one
 of the said Ten-Men on the Head, Breast and
 Belly, so that his Life is greatly despaired of;
 And that the said *Christian* and his riotous Crew
 did carry the said *Gordon* and ten Men into Cel-
 lars, and other dark places in *Ramsay*, where they
 could see no light; and were kept there confined
 till the *India Goods* from the said Dogger were
 run on Shore, and lodged in a Warehouse in
 the said Town of *Ramsay*, belonging to one
 Mr. *Reeves*, Merchant in *Douglafs*. And this
 Appearer further declareth and saith; That on
 the next Day, being the 27th Day of June, in
 further Malice against the said Appearer and
 his Crew, and in Contempt of his present Ma-
 jesty, They laid a Fine on one *John Carrouse* a
 Boatman in *Ramsay*, in the Sum of Ten Pounds,
 without citing the said *Carrouse*, and seized his
 Boat for no other Reason, than that he came

off to this Appearer, when disabled in *Ramsay* Road, and firing Guns of Distress on the same 27 Day of June, and assisting the Appearer in carrying the said Cruizer to *Whitehaven*, where this Appearer came for Safety; and this Appearer further declareth and saith, That having by force, as above declared, took this Appearer's Mate and ten Men, they were carried to *Castle-Town* Prison, where they were Confined till the 3d Day of July Instant, when *James Gordon*, *Thomas James*, *John Mc'laughlin*, *John Phillips*, *George Booth*, and *Richard Brown*, were set at Liberty; but that *William Dow*, *Gilbert Adams*, *Daniel Fern*, *Isaac Brucklebank*, and *Anthony Proctor*, are still detained Prisoners in the said Island; Therefore the said Appearer declares to protest, and I the said Notary at his Request do hereby solemnly protest against the said *Daniel Mycrea*, *John Taubman*, *Paul Bridson* and *Matthias Christian*, of for or concerning their Assembling or causing to be Assembled the said tumultuous and riotous Mobs in the said Towns of *Douglas* and *Ramsay*, in hindering this Appearer in the Execution of his Office, and rescuing the aforesaid Dogger and her Cargo, out of the Possession of this Appearer, who had caused the same to be seized for the Use of his Majesty; and for all Costs and Damages, and value of the same suffered and sustained, or to be suffered and sustained by reason

reason or means thereof : And this Appearer further declares to protest, and I the said Notary at his Request do hereby further solemnly protest against the said Parties herein before Named, for their taking by force the Boat of the said Cruizer, and Arms and other things rifled and taken out of her, and against the false Imprisonment of the said Men ; and all the Costs and Damages pertinent thereto, by reason of the said Appearer's being disabled of his Ship's Crew, Boat, Arms, &c. And the Affair of Smuggling to and from the *Isle of Man*, being carried on openly and with Impunity, and of and from all Damages that the said Cruizer hath or shall receive, or in case of her being cast away, by means of her being disabled as aforesaid ; And lastly the said Appearer declareth to Protest, and I hereby solemnly Protest against the said *Matthias Christian*, and his Accomplices, of and concerning the Bruises given the said *George Booth* on Board the said Dogger, that in case he dies of the said Bruises within a Year and a Day, they be answerable for the same, and all Costs, Charges, and Damages at Law, and otherwise, that this Appearer or any of his Crew may be put to, touching any of the Matters and things aforesaid herein before declared and set forth, and hereby Protested against ; Of all which, an Act being required of me Notary ; I have granted this present, under my Notorial Form

Form and Seal of Office, to serve and avail, as occasion shall require. Thus done and passed in *Whitehaven*, in the Presence of *John Dixon* and *Edward Heslop*, Witnesses thereunto required, the Day and Year first above written;

GEORGE DOW.

Witness

Sic subs. JOHN DIXON.
EDWARD HESLOP.

Which I Attest under my Hand and Seal of Office at the Request aforesaid,

Sic subs. J. WINNINGTON, Notary Publick.

James

James Gordon Mate and *John Phillips* Seaman
on Board the said Cruizer, maketh Oath that
the Contents of the foregoing Protest made and
signed by Captain *George Dow* are in every par-
ticular True, and nothing but Truth.

JAMES GORDON.

The Mark of † JOHN PHILLIPS.

Sworn at *Whitehaven* in
the County of Cum-
berland, the 12th Day
of July 1750.

Sic subs. J. WINNINGTON, one of the Mas-
ters in Chancery Extraordinary.

A true Copy of the Original on Record in
my Office, which after careful Examination, I
Attest,

Sic subs. J. WINNINGTON, Notary Publick.

Whitehaven, July
12th. 1750.

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THUS far Gentlemen, I have given you a true and exact Detail of that pernicious Practice of Smuggling to and from the *Isle of Man*, as also the Affair of the *Sincerity* Cruizer, Captain *George Dow* Commander, as far as it hath reached my knowledge, as it is the Duty of every good Subject, but more particularly of an Officer under his Majesty, to take notice and acquaint the proper Boards, when at any time things shall occur to the detriment of his Majesty, his Customs or Duties. It is for that Reason, Gentlemen, I trouble you with this, to lay it under your Considerations; How prejudicial it must be to the Revenues of these Kingdoms, to suffer a small Island, so conveniently situated between the Three, inhabited chiefly by Vagrants, Rebels to his Majesty, and outlaw'd Smugglers, to carry on that illicit Trade of Smuggling, which this present Ministry and you the Honourable Board of Customs, so strongly endeavour to destroy; and shall a People who have neither Sense of Religion, Honesty or Justice (whose behaviour to the Bishop of that Isle is generally known, his Confinement and ill usage in a common Jail for three Months without any Reason or Cause, but only the Deputy Governor's or *Dempster's* arbitrary Wills) do thus? Does it not very plainly demonstrate, that the Laws and Proceedings of that Island have long laid hid and unobserved?

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But now Gentlemen, your Inspection into their behaviour and your Representations to the Government of their illicit Practices, illegal Proceedings, and Arbitrary ways, may be a Means of bringing this Island into due Subjection to his Majesty ; which at present is not so ; and thereby destroy the still remaining Spark of Disaffection, which too plainly appears in the Manners and Speeches of some of these People, who are the Friends, and do boldly assert the Cause of the Pretender ; And was I thought worthy ; Gentlemen ; to be employed on that Station in his Majesty's Service under your Orders and Directions, don't doubt but that I should give your Honourable Board a good Account of some of their Smuggling Vessels and Goods ; and endeavour to do my Duty in such a manner as would give entire Satisfaction ; having been nine Years a Lieutenant in his Majesty's Service ; and can have a Character from the Captains I have served under.

I am

Honourable Gentlemen,

Your most Obedient and Humble Servant

MILBANK, Westminster,
August 14th. 1750.

THOMAS FOLEY.

MILBANK, Westminster,
November 27th. 1750.

MY LORDS,

SOME Time ago I remitted, to the Commissioners of the Customs, a Memorial setting forth the Male practices of Smuggling to and from the *Isle of Man*, as also the ill usage the *Sincerity* Cruizer met there by the Rescue of a *Dutch* Dogger, as also the Confinement of some of the Men; which Memorial I am informed was sent for your Lordship's perusal; And by last Post I received a Letter from *Captain Dow*, now at *Whitehaven*, wherein he desires me to lay before your Lordships, the Hardships his People undergo in the *Island of Man*, who are still imprison'd, and no doubt will suffer all the Cruelty and ill usage that Barbarians are capable of inflicting, without your Lordships are pleased to redress their Grievances, and apply proper Means to release them; and as *Captain Dow* has wrote me that Smuggling still goes on from that Place, have sent a Copy of that part of his Letter for your Lordship's Information, having sent one also to the Commissioners of the Customs, as this Day.

“ I beseech that you may be ardent in the
 “ Affair, that my People may be set at liberty
 “ from their cruel and tedious Confinement;
 “ which is more ignominious and severe than if
 “ they had been amongst Pirates. I must here
 “ inform you, that upon the 1st. of August a
 “ *Dutch* Ship discharged a large Cargo of *India*
 “ *Goods* at *Douglafs*; that upon the 5th of Sep-
 “ tember the *Theodorus*, of *Rotterdam*, landed
 “ there 900 Chests of Tea, besides a great deal
 “ of other *India-Goods*; that about the middle
 “ of that Month a fine *Dutch* Vessel was wreck'd
 “ in *Douglafs-Bay*, having a large quantity of
 “ *India-Goods* on Board. That about the 15th
 “ of October last, the *Elizabeth* of *Irvine*, *John*
 “ *Servis* Master, landed in *Ramsay*, from *Gotten-*
 “ *burgh*, a large Cargo of *India-Goods*; and that
 “ now the ———, of *Irvine*, Captain *Wilson*,
 “ is discharging a large Cargo of the same
 “ from *Gottenburgh* at *Pill-Town*; And a *Dutch*
 “ Sloop from *Rotterdam*, with another large
 “ Cargo of the same kind, at *Ramsay*. Please to
 “ represent the above to the Board and *India-*
 “ *Company*, and write me often. I omitted to
 “ tell you, upon the 9th Current, having seized
 “ from on Board the *Elizabeth* of *Irvine* 18
 “ Pounds and a half of Tea, and 121 Gallons of
 “ Rum, &c. in small Casks, which last was
 “ taken in at the *Isle* of *Man*, and having
 “ brought the Vessel with the same to the Town

“ of *Shirkerdbright*; the Provost and Inhabitants
 “ of that Town, assembled in a great Mob,
 “ and Attack’d my Vessel, which obliged me
 “ to hire in this place four Supernumerary hands,
 “ with consent of Collector *Burrow*; in place
 “ of these new Prisoners in the Island; and
 “ likewise to buy here Six Muskets, in place
 “ of those which were robb’d from my People,
 “ and that in order to defend the Vessel from
 “ Insults of this kind, and to carry on my
 “ Cruising with the greater Success.”

Thus far is a Copy of part of Captain *Dow*’s
 Letter to me, bearing the date November 23d.
 1750, as much as it concerns his Majesty’s
 Revenues.

I am, &c.

THOMAS FOLEY.

To the Right Honourable the
 Lords COMMISSIONERS of
 his Majesty’s TREASURY.

WHITE-

WHITEHALL Council Chamber,
December 7th. 1750.

SIR,

THE Lords Commissioners of his Majesty's Treasury having laid before his Majesty in Council, the several Papers, received from Captain *Dow* and yourself, relating to the Proceedings of the Duke of Athol's Officers in the *Isle of Man*, in rescuing a *Dutch* Dogger, laden with India-Goods, and to the imprisoning several Sailors belonging to Captain *Dow's* Sloop. His Majesty has thought proper to refer the Consideration of those Papers, to a Committee of the Privy Council. And as the Committee will meet in the Council Chamber, at the Cockpit Whitehall, on Tuesday next the 11th Instant at Six o'Clock in the Evening, to consider this Matter, I thought it proper to send you this Notice of it; that you may be pleased to attend their Lordships at that time, in case they should have occasion to discourse with you upon it.

I am Sir,

Your most Humble Servant,

To Mr. THOMAS FOLEY,
at MILLBANK.

W. SHARPE.

MILL-

MILLBANK, Westminster,
January 10th. 1750.

HONOURABLE SIRs,

HAVING by last night's Post received a Letter from Mr. *Joseph Burrow* Collector of *Whitehaven*, concerning the Money seized in the *Isle of Man* by Captain *George Dow*, of the *Sincerity* Cruizer, as also of fresh Intelligence of Smuggling from the said Island; I thought it my Duty to communicate a Copy of the same for your Perusal.

I am

HONOURABLE SIRs,

Your most Obedient,

Humble Servant,

To the Honourable the COM-
MISSIONERS of his Majesty's
CUSTOMS.

THO. FOLEY.

SIR,

SIR,

“ I Receiv’d yours of the 11th. of August
 “ last, wherein you were pleased to tell me,
 “ that in a little time you would send me a
 “ Copy of your Representations to the Com-
 “ missioners of the Customs, of the Proceed-
 “ ings in the *Isle of Man*, and that I might hope
 “ to see you on that Station. Waiting for both
 “ these desirable things, hinder’d my not ac-
 “ knowledging your favour before now.

“ On the 25th Ult°. I received a Letter from
 “ the Secretary to our Board, inclosing a Packet
 “ from the Privy Council, for Mr. *Lyndsay*, Go-
 “ vernor of the *Isle of Man*, which I have de-
 “ livered this day to Captain *Dow*, who will
 “ Sail next Tide with it. This Afternoon he
 “ put into my Hands yours of the 13th Ult°.
 “ by which I perceive how greatly every true
 “ Lover of his Majesty and his Revenues, is
 “ obliged to you, for the pains you have taken,
 “ to set forth the Frauds daily carried on from
 “ the *Isle of Man*. Every Week almost, we can
 “ see from our Hills 10 or 12 *Manks* Boats in a
 “ Fleet passing this Harbour for the borders of
 “ *Scotland*, all laden with Tea, Brandy, Rum,
 “ *East-India* Goods, &c. which, after landing,
 “ come into *England*.

“ I

“ I have a Letter from the Sollicitor of the
 “ Customs, the 25th Uult°. that the Coin or
 “ Money seized by Captain *Dow*, for which his
 “ Men are confined in the Island, is condemned
 “ in the Exchequer, and I have Orders to re-
 “ mit it to him, to be paid on his Majesty's
 “ behalf into that Court, which Condemnation
 “ (as I take it) having been usually adjudged so,
 “ is a Barr to any Action against him, on ac-
 “ count of that Seizure.

“ The carrying out of Gold or Silver Coin,
 “ from this Kingdom, is forbid by 5 Rich. 2. Ch.
 “ 2. — 2 Henry 4. Ch. 5. and 19 Hen. 7.
 “ Ch. 5. Am ignorant whether these Statutes,
 “ extend to *Ireland* or not, but believe they
 “ have Laws of the same kind there. The
 “ Penalty is only the Forfeiture of the Money,
 “ and does not subject the Ship or Vessel, to a
 “ Seizure, out of which it is taken. I hope
 “ something will be done next Sessions, to pre-
 “ vent the ruinous Trade from the *Isle of Man*.”

I am with great Esteem,

and a particular Inclination,

Sir, Yours, &c.

Custom-House, White-
haven, 4th Jan. 1750,

JOSEPH BURROW.

MILL-

MILLBANK, Westminster,
January 15th 1750.

HONOURABLE GENTLEMEN,

ON Thursday last, I sent to your Honorable Board, a Copy of Mr. *Joseph Burrow's* letter to me, bearing date the 4th Instant, concerning the Money seized in the *Isle of Man*, by Captain *George Dow* of the *Sincerity* Cruizer, as also the continuance of Smuggling from that Island.

I am now to acquaint you, that lately I've been an Evening in Company with a Wholesale Dealer of Spirituous Liquors in the City of *London*, our Discourse turned upon the Smugglers of *Man*, when at the same time he told me, and several others in Company, that he bought his Rums, and *Holland Genevas* at four Shillings and Six-Pence per Gallon, with a permit on the N. W. and North Coasts of *Scotland*, which Liquors were brought thither from the abovementioned Island; and that from *Scotland* he brings them up to *London* to be disposed of. How he buys them at that rate with a Permit, I leave to your Honours considerations; but certainly if the

K k

Duties

Duties were justly paid to his Majesty's Revenues, he must have his Liquors (I humbly conceive) at the Rate of three Pence per Gallon; for now should the Prime Cost and the Freightage be put together, allowing Leakage and other Accidents, the fair Trader cannot allow to sell under four Shillings and Six-pence per Gallon, besides the Duties; and then Gentlemen you will perhaps say, How is it possible that such large quantities, of Rum and other Spirituous Liquors should be continually landed, and find Vent from that Island? I think this is to be accounted for, when such a Number of Vessels and Boats are always there in readiness to convey them into the Three Kingdoms, and the following Practices will make plain the quantities of Liquors, they have there. *Liverpool* being generally esteemed the third Port in this Kingdom, for Trade, especially to the Coast of *Guinea*; and the Ships so Trading, whenever they arrive at the *West-Indies*, dispose of their Negroes; and because they do not, nor is it their Interest to come home in their Ballast, (for the generality purchase Cargoes, as Sugars, Cotton, Pimento, Rum, &c.) On their Arrival in *England*, they land their dry Goods, at the Port they belong to, as being the best Market for those Commodities; but as for the Rum, it is frequently consigned to the *Isle of Man*, the Drawback then being taken off and no Duty paid in *England*, they

they there land it amongst the Smugglers, who afterwards dispose of it as abovementioned.

Whilst I was at *Liverpool*, and on the *Isle of Man*, I saw an instance of it; a Ship lately arrived from the *West-Indies* in the Port of *Liverpool*, was bound for the *Isle of Man*; I was on Board with Captain *Dow*, when she came into *Ramsay-Bay* in the said Island, where she discharged in Puncheons, &c. I beleive near 70 Casks, which they told me were Rum; and as soon as it was landed, the Ship immediately sailed for *Liverpool* again.

Secondly, The Smugglers in *Man*, being a mixture of all Nations, some of *France*, who have dealings from thence, and have often Vessels consigned to them, from *Bordeaux*, &c. loaded with Wines, Brandies, &c. which is also Run into the Three Kingdoms.

Lastly, there is a great Trade carried on from and to this Island, from *Gottenburgh* and parts of *Holland*, in *East-India* Goods, as I have in my Memorial and former Letters acquainted your Honourable Board; notwithstanding an Act of Parliament of George Ist. to the contrary; and altho' these Goods are seizable, whenever any of His Majesty's Officers come athwart them and have force enough to make them

them a Capture; either bringing to, or carrying off Goods above specified; yet nevertheless for the above mentioned landing of Rums, there at present is no redress. Indeed they are liable to seizure if found in Vessels coming from thence, in small Casks, bound to any of his Majesty's Dominions, which is very often practised, not only in open Boats weekly, but even in large *Dutch* Vessels, which take their loading from these Smugglers of *Man*; but if stopp'd at Sea, by any of his Majesty's Vessels, they produce Bills of Lading and Clearence from some of the Ports of *France*, bound to some of the Ports of *Norway*, *Holland*, or *Gottenburgh*, &c. And therefore, unless they are absolutely caught in the fact of running these Goods, they generally escape.

I am

Honourable Gentlemen,

Your most Obedient,

Humble Servant,

To the Honourable the Commissioners of his Majesty's CUSTOMS.

THOMAS FOLEY.

SIR,

SIR,

THE Commissioners have your Letter of the 15th Instant, and I shall be glad of the favour of seeing you, any Morning this Week, at the Custom-House; the earlier you come the better, because then I have the most Leisure to consider the matter.

I am

S I R,

Your most Obedient Servant,

CUSTOM-HOUSE, London,
16th January 1750.

WILLIAM WOOD.

To Mr. THOMAS FOLEY,
at MILLBANK, West-
minster.

DEAR

DEAR SIR,

YOUR's of the 17th, and the Lawyer's of the 19th, I was Yesterday honoured with, and really thought your Stay at *Leighton Buzzard* had prevented your farther thoughts of Corresponding.

What you mention about the Ship, we were along side of at *Liverpool*, I well remember, and Mr. *Smith* the Mate, and the Sunday following we were at Anchor at *Ramsay*, where I saw a great number of Casks towed a shore as you mention, but what particular number there were, I can't well ascertain, but verily beleive there was that quantity full, if not more; upon the best of my Memory they were a towing of them the most of the Day, and there were 18, 19, or 20 towed at a time; I should be very glad to be of service to any one in a right thing, but particularly to any Friend you have a regard for.

I assure you it will be great Pleasure to me, to be called to *London*, on the *Isle of Man* affair, as I think when the Matter is fully heard,
it

it will be of service to us both; but upon my word I wish more for you, than myself, as you have been unemployed so long. Pray when you see Mr. *Taylor* desire him to make as speedy an end of *Dowdall's* Affair as he can. My Compliments attend Mrs. *Foley* and you.

I am Sir,

Your most Humble Servant,

CHESTER, 23d. January,
1750.

WILLIAM DENIS.

To THOMAS FOLEY, Esq;
at his House at MILL-
BANK, Westminster.

DEAR SIR,

I Esteem myself much obliged to your favour of the 7th Instant, and will deliver Mr. *Lutwidge* his Letter, when he comes home, being now in *Ireland*. You give me great Pleasure in hoping to see you on this Station, where a diligent Commander is so much wanted to Curb the wicked Trade from the *Isle* of

of *Man*, daily carried on to the Ruin of the Revenue and all fair Trade. Last Friday ten or Eleven *Manks* Boats were seen all laden passing this Harbour, knowing that (I presume) Captain *Dow* was riding in *Derby-Haven*, having sent him thither with the Copy of the Record of Condemnation of the Money he had seized and for which his Men were confined; they wrote to one for it, as absolutely necessary to produce at their Tryal, which was fixt for the 7th. Instant. The Commissioners having order'd me to get them Bail'd out of Prison, I procured Letters from a Merchant here to two Gentlemen in the Island, to become bound for them, on my promising to Indemnify them, which I forwarded by a Sloop on the 1st Instant, and yesterday I see a Letter from Mr. *Murray* at *Douglafs*, that Mess. *Milrea* and *Taubman*, the *Dempsters* and Deputy Governours, had set them at Liberty without requiring any Bail, which I presume they will urge as an Attonement for the Sufferings they have caused those poor Fellows to undergo, but I hope by your Assistance they will find that a broken Reed to rely on, as to that particular; Mr. *Milreay* blames Captain *Christian*, about the rescue of the *India* Goods from *Holland*, and seizing the King's-Arms and Boat, and says he reprimanded him for it. Poor

Evasions

Evafions for fuch unwarrantable Proceedings,
longing to fee your Memorial as alfo yourfelf.

I am

Dear Sir,

Your moft Obedient,

Humble Servant,

Custom-Houfe, White-
haven, 13th Feb. 1750.

JOSEPH BURROW.

TO THOMAS FOLEY, Efq;
at MILLBANK, Weft-
minfter.



HONOURABLE SIRs,

AS it hath been intimated to me, that your
Honourable Board intend fhortly to apply
to the Lords Commiffioners of the Admiralty
to fend Tenders, (as Sloops of War will not do
there, by reafon there is not Harbours nor Drift
at Sea for them) on the *Iſle of Man* Station,
to prevent the illegal practice of Smuggling,

continually carried on from thence. I humbly beg leave to present your Honours with some Proposals; and the Reasons annexed; concerning what Vessels are most proper for that Service, and if your Honours would be pleased to think me worthy your Honourable Board's Recommendation to the Admiralty; whereby to be employed in one of the Tenders in that Duty; I shall always endeavour to do my Duty as a Good and faithful Officer, and be careful always to remit to your Honours every thing that may be serviceable to his Majesty's Revenue, and diligently endeavour to destroy all proceedings of the Smugglers, that may be prejudicial to it.

I am

Honourable Gentlemen,

with great Respect,

Your most Obedient and Humble Servant,

MILBANK, Westminster,

Feb. 20th. 1750.

THOMAS FOLEY.

To the Honourable the COM-
MISSIONERS of his Majesty's
CUSTOMS.

First,

First, That the Tenders to be employed on the *Whitehaven* Station be about 160 Tons, which upon occasion can take the ground, by reason that most of the Harbours on that Coast are dry at low water, and in a hard Gale of Wind, and a Winter's night, there is not drift enough at Sea for any Vessel, and therefore must inevitably be lost, unless they can run into Harbour; yet nevertheless the Captains should have orders, not to suffer their Vessels to ground, but upon an absolute necessity, either hard Gales of Wind or Careening their Vessel, which not to be done oftener than once in two Months, and upon no other pretence whatever; for otherwise it may so happen that whilst the Vessel is aground, and the Men on Shore, the Smugglers may make use of that opportunity and thereby get clear.

Secondly, The Tenders so Stationed should mount twelve or fourteen Carriage Guns, and that the Ship's Company should consist of one Captain, one second Officer, two Mates, two Quarter-Masters, a Gunner, Boatswain, Carpenter, Surgeon, and Forty-Men; otherwise they can never be able to Cope with or bring too, those large *Dutch* Vessels, which use that Trade and carry sometimes Twenty-Men or upwards.

Thirdly,

Thirdly, Such Tenders, so employed, should be Snows, by reason, That as the Distances are but short between Land and Land, they are capable then of crowding more Canvass discretionally, and consequently coming up with the Chace sooner than a Sloop or Brigantine can do; For suppose a Chace should hawl up, with the Wind first upon one Quarter, and then alter her course, and bring the Wind upon the other Quarter, it it blows fresh, a Brig: or Sloop must lower down the Mainsail or the Gaff at least to Jibe each time; whereas a Snow can ease off or brace up their Yards, as soon almost as any of the Wherries, Boats or Ships, begin to alter their Course or Shift their Tacks; and in such short runs, as from the *Isle of Man*, to the *Scots* or *Irish* Coasts; where every Harbour is their own; the Smugglers no doubt will try all Means to shun the impending Danger when pursued, and make many different Courses in case there is any probability of escaping.

Fourthly, The Tenders should be well supplied with Hand-Granadoes, good Fire-Arms, &c. And the Officer commanding should often exercise or cause to be exercised, his Men, as the Weather, and the Exigency of the Service will permit.

Fifthly,

Fifthly, Each Tender should have a good eight Oar'd Boat, that will row well, especially in the Summer Season, as being most likely to be calm Weather, and such Boat is then capable of keeping the Sea, and coming up with any Smuggling Vessel much sooner than the Tender can do; and whenever that Boat leaves the Ship or service, The second Officer in Command, (or the Captain if necessary) should always go in her; and be answerable for all Neglects or Misdemeanours during the time he is upon that Duty.

Sixthly, The Captain every two Months should send a Copy of his Journals to the Admiralty and Custom-House, for the better information of the Lords Commissioners and the Honourable the Commissioners of the Customs; That in case there is any thing wanting to prevent the Male-Practices of Smuggling, they may be proper Judges how to Act; and whereas the Charge and Command of the Ship, and of the Officers and Company serving therein, are entirely entrusted to the Captain, he shall be responsible for the whole Conduct and good Management of the Ship, and of the due Execution of the several Duties of the Officers and Men, who are to obey him in all things, shewing him all due Respect, whenever he shall direct for his Majesty's Service.

Seven-

Seventhly, The Commanders of such Tenders to be employed, shall (unless bad Weather or other extraordinary Accidents prevent it) cause to be performed or perform himself Divine Service; as is usual in his Majesty's Ships of War; according to the Liturgy of the Church of England, as often as opportunity will admit, and Read a Sermon to his People every Sunday; the whole to be performed with Decency, Regularity, and Modest behaviour.



An ESTIMATE made of the Annual
Expende of a SNOW of 120 Tons,
and 48 Men (Officers included) Mount-
ing 12 Carriage Guns, besides Swivels.

Wages, Viz.

	£	s	d	p. M.	£	s	d
The Snow	4	0	0	-	52	0	0
Captain	6	0	0	-	78	0	0
Mate	3	0	0	-	39	0	0
Boatwain	1	8	0	-	18	4	0
Gunner	1	8	0	-	18	4	0
Carpenter	1	8	0	-	18	4	0
Surgeon	1	10	0	-	19	10	0
2 Quarter Mast. each	1	4	0	-	31	4	0
40 Men dit.	1	2	6	-	585	0	0

Victualling 48 Men, according to
the rule of Victualling his Ma-
jesty's Ships of War, at 9d. per
Man per Day } 657 0 0

Necessaries for the Snow, as Can-
dles, Coals, &c. allowing 1s. 2d.
per Man per M°. for 48 Men } 36 8 0

£ 1552 14 0

Additional Gunners, Boatwains and
Carpenters Stores. Boats, &c.
Water Casks, Twenty Tuns. }

MILL-

MILLBANK, Westminster,
March 5th. 1750.

SIR,

I NCLOSED I send you the Estimate I have made of what Expence a Snow of 120 Tons and 48 Men (Officers included) will stand the Government in for One Year, which Calculation I have made according to the Allowance in his Majesty's Navy. If it suits your Conveniency, I will wait on you Friday next.

I am

SIR,

Your most Obedient,

Humble Servant,

TO WILLIAM WOOD, Esq;
Custom-House.

THO. FOLEY.

MILL-

MILLBANK, Westminster,
March 2d. 1750.

SIR,

INCLOSED I send you a Copy of a Letter I received last Night from Captain *George Dow* to me, bearing date 25th February last, wherein their Honours may perceive how much it concerns the Ministry to take proper Cognizance of the *Island of Man*, not only as to the illegality of the Smugglers, but even for the Safety and Establishment of this present Government.

I am,

S I R,

Your most Obedient,

Humble Servant,

THOMAS FOLEY.

To WIL. WOOD, Esq; Secretary
to the Honourable the COM-
MISSIONERS of his Majesty's
CUSTOMS.

M m

My

MY DEAR CAPTAIN,

I had not an opportunity of answering your kind Letter till now, and I take this opportunity of making you my most grateful Acknowledgements for the most Noble Stand you have made for his Majesty's Interest, and against the many Injuries done me, and my poor Ship-Mates, by the Deputy Governors and Captains of the *Isle of Man*.

Please to know that the Money seized, from on board the Wherry, has long ago been condemned in the Exchequer of *London*, and that my People who were committed to Prison in *Castle-Town* for no Offence, were on the 7th of February last discharged from their Confinement without Bail, only they were afterwards recommitted, and obliged to find Bail for their Victualling: I heartily wish that in the Appearances you have made, you had taken Notice of a Vessel from *Spain*, which in January 1746. came into *Darby Haven* Harbour, having £ 40,000 Sterling in Cash, and Three Thousand Stand of Arms, and a good Quantity
“ of

“ of Ammunition for the Service of the Rebel
 “ Army in *Scotland*, of which Mess. *Sidebotham*
 “ and *Gill* being apprized, went immediately to
 “ *Patrick Lindsay* Governour of the said Island,
 “ and required him to seize upon the said Ship
 “ and Cargo, which at that time would greatly
 “ annoy the Rebels and do great Service to
 “ his Majesty; That notwithstanding the said
 “ Vessel was navigated with *Spanish* Seamen;
 “ and had immediately come from *Galicia* in
 “ *Spain*; a Kingdom then at War with *Britain*;
 “ and the said *Lindsay* was a Half-Pay Officer
 “ in the *English* Army, or was Secretary at
 “ War for *Scotland*, (as I’m informed) he, for
 “ their abovesaid Application to him, threatned
 “ them with Imprisonment, and at that time
 “ spoke some illegal and Disrespectful Expres-
 “ sions of his Majesty and the Kingdom of
 “ *Great-Britain*; and the above said Vessel
 “ which came there merely with design to be
 “ informed of the Ports in *Scotland*, that were
 “ then most contiguous to the Rebel Army;
 “ being permitted peaceably to depart; who
 “ thereafter did at *Peterhead* in *Scotland*, deli-
 “ ver to the Rebels the abovesaid Money and
 “ Ammunition and Arms, but was herself im-
 “ mediately burnt in that Harbour, by Captain
 “ *Lloyd* of his Majesty’s Ship *Glasgow*, who
 “ had chased her in. You might have also
 “ informed that *Sterling* of *Air*, and another
 “ Rebel

“ Rebel from *Scotland*, having after the Defeat
 “ at *Colloden* escaped to the Island, and the
 “ abovesaid *Sidebotham* and *Gill* having repre-
 “ sented to the abovesaid Governor the same,
 “ and craved that they might be apprehended
 “ they were for this Application, threatned a
 “ second time with Imprisonment and the
 “ abovesaid Rebels were permitted quietly to
 “ Depart out of the Island.

“ This I think can be made to appear, and
 “ may give a Specimen of the Loyalty of this
 “ Island, which looks upon itself as a State in-
 “ dependant of *Great-Brihain*, and upon the
 “ Imperial Kingdoms of *Great-Britain* and
 “ *Ireland* to be but Appendages to their little
 “ Puny, Pernicious *Strombulo*. When this comes
 “ to hand, please to call upon Mr. *Wyatt* Sol-
 “ licitor to the Board of Customs, who will
 “ shew you a Protest taken by *William Dow* and
 “ his Fellow-Prisoners, against the Deputy Go-
 “ vernours and others in the Island, of which
 “ I hope you will make the best use with the
 “ Lords of the Treasury and the most Honour-
 “ able Privy-Council,

“ It will give me great Joy, that you should
 “ be Stationed upon the Island in a well-go-
 “ ing Ship, and I hope that with Divine As-
 “ sistance,

“ fiftance, we fhall work the *Manksmen*, to the
“ Aching of their Hearts.

“ If you could get fome good Place under
“ your Command to my Son, who is well ac-
“ quainted with the Coaft, and with the Prac-
“ tice of the Smugglers from *Man*, it would
“ be a new Favour done me, who am in the
“ moft Grateful and Respectful Manner,

DEAR CAPTAIN,

Your moft Faithful, moft Obliged

Humble Servant,

WHITEHAVEN, 25th.
February, 1750.

GEORGE DOWE.

To Capt. THOMAS FOLEY,
at his Houfe at MILL-
BANK, Westminster.

DEAR

DEAR SIR,

“CAPTAIN *Dow*’s Men being arrived
 “here, after a long Imprisonment and
 “most barbarous usage from the Deputy Go-
 “vernours in the *Ile of Man*; and having made
 “a long Protest against them, and others; I
 “have forwarded the same this Post to the
 “Commissioners of the Customs, and wish you
 “would take the Trouble to step down to see
 “it, which no doubt Mr. Secretary *Wood* will
 “readily shew you.

I am Sir,

Your most Obedient Servant,

CUSTOM-HOUSE, White-
 haven, Feb. 23d. 1750.

JOSEPH BURROW.

P. S. “I have just now received your Me-
 “morial and return many Thanks.”

To Captain THO. FOLEY,
 at MILLBANK, West-
 minster.

MILL

MILLBANK, Westminster,

May 11th. 1751.

SIR,

ENCLOSED I send you a Copy of a Letter I received last night from *Joseph Burrow Esq;* Collector of *Whitehaven*, which beg the Favour you would communicate to the Commissioners, when they will see the necessity of a Vessel to be Stationed on that Coast, as the Smugglers of *Man* go on still with greater courage than ever.

I am Sir,

Your most Humble Servant,

THOMAS FOLEY.

To WILLIAM WOOD, Esq;
Secretary to the Honour-
able Commissioners of the
Customs.

DEAR

DEAR SIR,

“ I am favour’d with yours of the 5th ult. with
 “ one to Mr. Gill, which shall be forwarded
 “ by the first safe hand, Am sorry for Mr. Side-
 “ botham’s Death at this juncture; The Running
 “ Trade from the Island was never higher; the
 “ Smugglers are greatly apprehensive of you, and
 “ are making use of their time; nine Boats in one
 “ Fleet pass’d this Harbour last Week, all laden
 “ for the Borders. Captain Dow is at *Liverpool*,
 “ I do wish he would be more active towards
 “ *Annon* and *Bowness*. I am ashamed to name
 “ the date of yours the 14th March last, but have
 “ been so busy almost every Day since, about
 “ the Post Accounts due at Lady Day, which I
 “ only got forward in a Box to the Commission-
 “ ners the 27 ult. that it prevented me. Some-time
 “ ago I received under a blank Cover, Reasons
 “ for annexing the wicked Island to the Crown,
 “ for which I suppose am obliged to you; And
 “ was in hopes of hearing something more about
 “ them, for the late behaviour of the Deputy Go-
 “ vernors give a sufficient handle to have some-
 “ thing now done, and as the Ministry are about
 “ redressing Frauds in the Tobacco Trade, ’tis to
 “ be hoped they will consider the inexpressible
 “ loss the *Isle of Man* is to the Revenue.

I am Dear Sir, Your most Obedient Servant,

Custom-House, Whitehaven,

JOS. BURROW.

May 4th. 1751. ‘ I wish to see you here.

To THO. FOLEY, Esq; at
 Millbank, Westminster.

Admiral SMITH's
P R O P O S A L
FOR EMPLOYING
Two THOUSAND and SIXTY
SEA OFFICERS and MEN,
In Sixty V E S S E L S,
To be Stationed on the COASTS of
GREAT-BRITAIN and IRELAND,
To prevent the Running Goods, off
and on the said COASTS: With an
APPENDIX by way of NOTES.

THE
REPORT
OF THE
COMMISSIONERS
OF THE
LAND OFFICE
FOR THE YEAR
1871
IN
ANSWER
TO A
RESOLUTION
PASSED BY
THE HOUSE OF
COMMONS
ON THE 11TH
MAY 1871
BY
J. R. H. STUBBS
SECRETARY
TO THE
COMMISSIONERS

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Admiral SMITH's
PROPOSAL, &c.

That Sixty VESSELS which Sail well,
of one Hundred Tons one with another, *be hired.*

THAT each of the said Vessels be provided, and kept provided by the Owners, with the following Particulars, viz. A Master, Guns of such a Size, and as many of them as will not hinder her Sailing; Thirty Firelocks with Bayonets; Thirty Swords with Belts, Fifteen Pair of Pistols; Powder, and all other Sorts of Ordinance Stores, sufficient for Channel Service, in Proportion to the Guns and Fire-Arms in each Vessel. Boatswain's and Carpenter's Stores of all Sorts, sufficient for Channel Service; and a Tallow Bottom every two Months. I do not know exactly, what the Hire of Vessels provided as above, will amount to, I shall therefore suppose

pose a Cost for that Purpose, which I am sure is sufficient, which is at Seven Shillings *per* Ton *per* Month. The Cost then of Sixty Vessels, at One Hundred Tons, one with another, is yearly, allowing Thirteen Months to the Year, - - - 27,000

That the Owners of each Vessel do likewise provide Provision, Firing, Candle and all Sorts of Purser's Necessaries, and Victualling Stores for the Vessels, Officers, and Men, that shall be put into them, in the same Proportion as is provided in his Majesty's Ships in Sea Pay, in Channel Service.

That the Owners be obliged to direct their Masters to provide fresh Provision in lieu of Salt, for such Men as are sick in Ports where there are no Hospitals.

That the Masters be allowed to provide fresh Meat in lieu of salt, to the whole Company, as often as they find it for the Interest of the Owners to do so.— I shall suppose the above Provision, &c. will be supplied at the Rate of One Pound One Shilling *per* Month, for each Man born, which is more than suf-

Car. over, 27,000.

Brought over, 27,000.

ficient. The whole Number proposed to be victualled in all the Vessels, is, Two Thousand and Sixty, including the Masters, which at One Pound One Shilling a Man *per* Month, is - - -

28,119

That a Lieutenant from the Half-Pay be appointed to command each Vessel, at Five Shillings *per* Day; the yearly Cost of Pay to Sixty of them, will be - - -

5475

That he have under his Command, the following Number of Officers and Men.

The Master paid by the Owners.

One Master's Mate, at Two Pounds Two Shillings *per* Month. Sixty of them will cost yearly

1638

Two Midshipmen, at One Pound Ten each *per ditto*. Cost of One Hundred and Twenty of them is

2340

Two Quarter-Masters, at One Pound Six each *per ditto*. Cost of One Hundred and Twenty of them is

2028

One Boatswain's Mate, at *ditto per ditto*. Cost for Sixty of them is

1014

One Carpenter's Mate, at One Pound Ten each *per* Month. Sixty of them will cost - - -

1170

Car. over, 68,784

	Brought over,	68,784.
Two Carpenters Crew, at One Pound Five each. One Hundred and Twenty of them will cost		1950
Two Quarter-Gunners, at <i>ditto</i> each. One Hundred and Twenty of them will cost		1950
One Armourer, at One Pound Five. Sixty of them		975
One Surgeon's Mate, at Two Pounds Ten Shillings. Sixty of them will cost		1950
Fourteen able Seamen, at One Pound Four Shillings. Eight Hundred and Forty of them is		13,104
One Servant for the Lieutenant, at Nineteen Shillings <i>per</i> Month, Sixty of them is		741
Two Gromets, at Ten Shillings <i>per</i> Month each. Cost of One Hundred and Twenty of them is		780
There will be Thirty-one in each Vessel, exclusive of the Master, and Eighteen Hundred and Sixty in the whole Number.		
That the Remainder of the Two Thousand and Sixty, which are provided for above with Provision, be able Seamen, and put into such of the Vessels as exceed fourscore Tons. The		2184

Car. over, 92,418.

Brought over, 92,418.

Number remaining is One Hundred and Forty, which, at One Pound Four each *per* Month, will cost

That the Surgeon's Mate, on board each Vessel, do provide capital Instruments, Medicines, and Necessaries for the Sick, and that he be allowed for the same, not only the free Gift and Moiety, necessary Money, and Two-Pence *per* Month from each Man, as is usually allowed to Surgeons of his Majesty's Ships; but likewise, that the Four-pence *per* Month, paid by every Man to the Chaplain, in Ships where there are Chaplains, be allowed to him. The Medicines to be purchased at the Apothecaries Hall.

For Pilotage, Hospitals, Free Gift and Moiety to the Surgeons, and other contingent Charges that may arise on the whole,

5000

97,418

Deduct Two Shillings a Day Savings on Half Pay, for each of the sixty Lieutenants commanding the Vessels,

2080

Total Charge for providing 2060 officers and men, with wages and provision, and 6000 Tons of Vessels, is

95,338

That

That the above Sixty Vessels be stationed on such Parts of the Coasts of *Great-Britain* and *Ireland*, as may be thought best for preventing the running Goods off and on the said Coast, under the Direction of the High Admiral, or Commissioners for executing that Office.

That such general Powers and Instructions be given to the Lieutenants commanding the said Vessels, as shall be thought most conducive to prevent the running Goods off and on the Coast and that they do correspond with the Commissioners of the Customs, and the Collectors of the Out-Ports, where they are stationed.

That the whole Produce of Goods condemned in the Court of Exchequer by any Vessels, be given to the Officers and Company, divided in such Proportions as Goods taken from the Enemy were, in the late War.

That such Lieutenant commanding any Vessel as shall take and condemn the greatest Number of Smuggling Vessels within each Year, be made a Master and Commander.

That the said Vessels be liable to be visited, and searched by the Officers of the Customs, on their putting into Port, or being met with
at

at Sea, by any of the Smacks belonging to the Custom-House.

That a Signal be appointed for such Vessels, to be known by the Custom-House Officers at every Port; and that the said Signal be made by every such Vessel, on their first appearing off any Port they design to enter; to the End the Officers of the Customs may repair on board as soon as possible: and that no Boat be sent from any one of the said Vessels, either on Shore, or on board any Ship or Vessel whatsoever; nor any permitted to come on board any such Vessel, either from the Shore, or any Ship or Vessel whatever, till she has been visited and searched by the said Officers.

That no Entry of any sort of Goods be admitted at the Custom-House from any of the said Vessels; but that all kinds of Goods, wet or dry, which are not the Produce or Manufacture of *Great-Britain*, or such as can be proved to have paid the Duty, be confiscated.

That every Person employ'd in the said Vessels, to whom any Goods seized did belong, be prosecuted as the Law directs in case of Smugglers; and if any such Goods were belonging to any Lieutenant commanding them, such Lieutenant shall moreover be broke, and deemed incapable,

capable, by Law, of holding any Office, Civil or Military, for the future.

That, to prevent vexatious Suits, an Exception be made against the Seizure of Liquors of all sorts, as far as thirty Gallons, all sorts included, in every Vessel.

That every Officer and Seaman belonging to the said Vessels, be paid six Months Pay, as often as eighteen Months are due to them, on their Arrival in any Port where Payments are made.

That the Pay-Tickets of all Persons discharged from any of them, be noted at the Navy Office, the first Board Day they appear there, and paid ten Days after.

That (to prevent any Seaman being compell'd to sell his Ticket at a Discount) the Lieutenants commanding such Vessels, be directed to advance to each Man discharg'd from any of them, Three Pence *per* Mile, for every Mile, the Place such Men are discharg'd at, is distant from London; setting off the Sum paid on each Ticket, to be deducted at the Payment. The Lieutenant to draw for such Sums on the Navy Board.

That

That the Lieutenant commanding each Vessel, do buy for, and supply the Seamen therein, with Tobacco, and Slop Cloaths; each Seaman paying Fifteen Pence *per* Pound for Tobacco, and Fifteen *per Cent* on the prime Cost of Slops delivered on Board; and that the Slops be all of one Sort and Colour.

That a Clause be added to the Act, for the better regulating his Majesty's Navy Ships of War, and Forces by Sea, to the following Effect *.

Every Officer, Seaman, and others, employed in Ships or Vessels, which are, or shall be hir'd into his Majesty's Service, for cruizing on the Coast of *Great-Britain* or *Ireland*, to be deemed as Part of his Majesty's Sea Forces; and subjected to the within Articles to all Intents and Purposes, as if they did actually belong to any of the Ships of his Majesty's Fleet.

* The said Expençe is less, by Eight Thousand Six Hundred and Sixty Two Pounds, than Two Thousand Men at Four Pounds *per* Man a Month amount to.

APPENDIX *by way of Notes.*

THE Number of Vessels within propos'd, being principally design'd for preventing the clandestine Importation and Exportation of Goods to and from *Great-Britain* and *Ireland*, should be of such Sort as the Smugglers make Use of, on the different Parts of the Coast, and the best sailing Vessels that can be procured.

The said Vessels, besides the main great End for which they are propos'd, will answer several other very useful Purposes; they will make all the Officers and Seamen employ'd in them, well acquainted with the Coasts of *Great-Britain*, *Ireland*, *France*, and *Holland*; they will be ready to raise Seamen immediately, when 'tis necessary to send a Squadron or Fleet to Sea; by Orders being given to the Lieutenants commanding them to call at particular Rendezvous, every Ten Days, for Orders from the Admiralty, by which means, the Time taken in hiring Tenders, and providing them with Volunteers will be saved, and in that Time many good Seamen rais'd; and if after the Squadron, or Fleet fitted out is mann'd, and ready for the Sea, a Lieutenant, and Twelve or Fourteen Volunteers. with Three or Four petty Officers, be put into some of the largest of them, they may be employed as Transports for Provisions

and

and most kind of Stores; to raise Seamen for other Ships fitting out; to carry Water and Refreshment to the Western Squadron; and bring in their sick Men with Convoy. The Want of Ships for some of these Purposes, navigated by Men not subject to Martial Law, has been, and may be attended with great Loss to the Service.

The Pay proposed to every Person to be employed, is equal to what is given to Men in the same Office, in Ships of the sixth Rate; and the Pay to the Lieutenant, in Consideration of his being Commander, is One Shilling a Day more than any Lieutenant has, except in First and Second Rates.

The Gromets is an Establishment which was formerly in the Navy; they are meant to be young Fellows of about Eighteen, who were never at Sea, to breed up as Seamen — Seamen in the Service, have hitherto paid Nineteen Pence *per* Pound for Tobacco. Sure Fifteen is Profit sufficient, as the best Tobacco may be bought, Duty paid, I mean unmanufactured, at Nine Pence. A Man is allowed to take Two Pound of it in a Month; so each Man who takes that Allowance, will save Eight Shillings and Eight Pence, which, with an Addition of Nine Pence, will buy him a warm Pea-Jacket.

The

The Reason why it is proposed that the Lieutenant should provide Slop-Cloaths is, because it is likely they will be better than they have hitherto been; and it is as reasonable to let an Officer get a small Profit from the People under him, as Strangers. And, to prevent Frauds, a Pattern may be given by the Navy Board.

Thirteen Months are allowed to the Year in all annual Calculations within.

F I N I S.



TEA Imported by the EAST-INDIA Company, for *Twelve-Year* before the Act passed; for the Reduction of Excise upon TEA; *commencing at Midsummer 1745.*

From Christmas 1733 to Christmas 1734	-	720,900 lb	-	-	-	1740	-	1464,700 lb	
1735	-	584,100	-	-	-	1741	-	1261,400	
1736	-	635,300	-	-	-	1742	-	1760,600	
1737	-	1648,100	-	-	-	1743	-	1645,500	
1738	-	1041,860	-	-	-	1744	-	725,700	
1739	-	1974,600	-	-	-	1745	-	882,800	
Total Importation for <i>Twelve-Years</i> before the Reduction									14,345,560 lb
Making for the Medium of One Year's Importation									1,195,464

TEA Imported by the East-India Company, for *Seventeen-Years* since the Act passed; for the Reduction of Excise upon TEA; *commencing at Midsummer 1745.*

From Christmas 1745 to Christmas 1746	-	2,013,900 lb	-	-	-	-	-	1758	-	2,795,130 lb	
1747	-	5,213,100	-	-	-	-	-	-	-	775,000	Emden Ship
1748	-	3,865,000	-	-	-	-	-	-	-	136,600	From Holland.
1749	-	2,324,100	-	-	-	-	-	-	-	210,296	Do. private Persons.
1750	-	4,730,410	-	-	-	-	-	1759	-	3,403,800	
1751	-	2,852,870	-	-	-	-	-	1760	-	6,199,300	
1752	-	3,109,100	-	-	-	-	-	-	-	1,079,600	
1753	-	3,253,900	-	-	-	-	-	1761	-	2,363,500	
1754	-	3,885,300	-	-	-	-	-	-	-	147,771	From Holland.
1755	-	3,979,900	-	-	-	-	-	1762	-	6,459,300	
1756	-	4,195,600	-	-	-	-	-	-	-	23,590,297	
1757	-	3,736,300	-	-	-	-	-	-	-	43,689,480	
-	-	530,000	Pondichery Prize,	-	-	-	-	-	-	67,279,777	
43,689,480											
Total Importation for <i>Seventeen-Years</i> since the Reduction											67,279,777 lb
Making for the Medium of One Year's Importation											3,957,634
Exceeding the Medium of One Year's Importation (being 1,195,464 as above) before the Reduction											2,762,170
This Extra Importation (of 52,934 217 lb in 17 Years) has yielded an Extra Gain to the East-India Company, at One Shilling per Pound, of											£ 2,646,710

Neat Receipt of Excise and Custom upon TEA, for *Five Years* before the Act passed; for the Reduction of Excise upon TEA; *commencing at Midsummer 1745.*

From Midsummer 1740 to Midsummer 1741	-	880,700 lb Tea at 4 shill. per lb Excise	£ 176,140	-	at 14 per cent Custom	£ 24,659,---	
1742	-	836,200	Do. ---	167,240	Do. ---	23,413,10,---	
1743	-	797,200	Do. ---	159,440	Do. ---	22,321,10,---	
1744	-	708,500	Do. ---	141,700	Do. ---	19,838,---	
1745	-	620,000	Do. ---	124,000	Do. ---	17,360,---	
		3,842,600		£ 768,520		£ 107,592,---	
Total Receipt of Excise and Custom upon TEA, for <i>Five-Years</i> before the Reduction							£ 876,112,---
Making for the Medium of One Year							175,222,---

Neat Receipt of One Shilling per Pound and 25 per Cent ad valorem Excise with the Custom, upon TEA for *Seventeen-Years and a Half* since the Act passed; for the Reduction of Excise upon TEA; *commencing at Midsummer 1745.*

Neat Receipt of One Shilling per Pound and 25 per Cent ad valorem Excise with the Custom, upon TEA for *Seventeen-Years and a Half* since the Act passed; for the Reduction of Excise upon TEA; *commencing at Midsummer 1745.*

												Totals.
From Midsummer 1745 to Midsummer 1746	1,800,000	lb Tea at 1 shill. per Pound	Excise £90,000	at 25 per cent Excise ad valorem	£90,000	and at 14 per Cent Custom	£50,400	-	-	-	-	230,400
1747	2,000,000	- Do.	-	-	100,000	-	-	-	-	-	-	256,000
* 1748	2,600,000	- Do.	-	-	130,000	-	-	-	-	-	-	358,800
1749	2,700,000	- Do.	-	-	135,000	-	-	-	-	-	-	372,600
1750	2,700,000	- Do.	-	-	135,000	-	-	-	-	-	-	372,600
1751	2,800,000	- Do.	-	-	140,000	-	-	-	-	-	-	386,400
1752	3,000,000	- Do.	-	-	150,000	-	-	-	-	-	-	414,000
1753	3,200,000	- Do.	-	-	160,000	-	-	-	-	-	-	441,600
1754	3,300,000	- Do.	-	-	165,000	-	-	-	-	-	-	455,400
1755	3,550,000	- Do.	-	-	177,500	-	-	-	-	-	-	482,684
1756	3,710,000	- Do.	-	-	185,500	-	-	-	-	-	-	521,721
The Half-Year to Christmas	Do.	1,897,338	The 1 shill. and 25	-	-	-	-	-	-	-	-	274,468
From Christmas 1756 to Christmas	1757	4,189,783	1 shill. Excise	-	209,489	25 per Cent Excise ad valorem	227,034	-	-	-	-	609,070
	1758	4,012,662	- Do.	-	200,633	-	-	-	-	-	-	609,139
	** 1759	3,955,842	- Do.	-	197,792	-	-	-	-	-	-	676,054
	1760	4,196,546	- Do.	-	209,827	-	-	-	-	-	-	686,040
	1761	4,378,916	- Do.	-	218,946	-	-	-	-	-	-	720,074
	1762	4,393,903	- Do.	-	219,696	-	-	-	-	-	-	717,624
		58,384,990			£ 2,824,383							£ 2,538,647

* This Year the Tax of 5 per Cent took place, upon dry Goods.

** This Year the further Tax of 5 per Cent upon dry Goods, took place at New Lady-Day, amounting, with the former Custom upon Tea, to somewhat above 24 $\frac{1}{2}$ per Cent.

N. B. It is not pretended, that the above Account, is so nicely Accurate, as if taken out of the Excise and Custom-House Books; But a good deal of pains has been taken, to bring the same to as great an exactness, as its possible, without such Perusal. And, at all Events, the Reader will be sufficiently able to judge of the good Effects of the Act in question.

Neat Receipt of Excise and Custom upon Tea, for <i>Seventeen-Years and a Half</i> , since the Reduction	-	-	-	-	-	-	-	-	-	-	-	£ 8,584,674
Making for the Medium of One Year	-	-	-	-	-	-	-	-	-	-	-	490,553
Exceeding the Medium of One Year's Neat Receipt (being £ 175,222 as above) before the Reduction	-	-	-	-	-	-	-	-	-	-	-	315,331

TEA Exported for FOUR-YEARS.

From April 1754 to April	1755	-	-	135,926	lb To Ireland	-	-	135,241	lb To America
	1756	-	-	101,833	- Do.	-	-	108,630	- Do.
	1757	-	-	105,140	- Do.	-	-	89,269	- Do.
	1758	-	-	105,533	- Do.	-	-	156,621	- Do.

Total Exportation, to Ireland and America for <i>Four-Years</i>	-	-	-	-	-	-	-	-	-	-	-	938,193 lb.
Making for the Medium of One Year's Exportation	-	-	-	-	-	-	-	-	-	-	-	234,548

OBSERVATIONS on the Above.

1. THIS experimental Tryal, upon the Article of Tea, was the first of the kind of any material Consequence, which was ever made to prove, That the *lowering of a High-Duty*; upon an Article of Consumption; hath considerably advanced the Produce of the Public Revenue upon such Article; by occasioning the surprizing general Encrease of its Consumption.
2. It shows, That a foreign Commodity; even of a luxurious Nature; may become a general Article of Consumption, and be rendered fashionable, and habitual amongst all Ranks and Degrees of People; In consequence of *reducing a High-Duty* thereon to a Moderate one; and thereby augment the Revenue, in Proportion to the general Augmentation of the Consumption of such Foreign Commodity.
3. It indicates; the next Degree to a Demonstration; that Duties upon Commodities may be strained to so high a Pitch, as to cause a general Diminution in the Consumption, and consequently to occasion a Proportionable Diminution in the Public Revenue, which used to arise from the high Duty. It excites the unfair Trader to act in Concert with the Smuggler, and the latter to hazard his Life to reap the Advantage which so great a Temptation lays before him. It induces the Consumer to enter into a close Connection with the Smuggler, In order to come at the Commodity; which Fashion and Pride have made necessary to him; since his Pocket cannot otherwise reach it.
4. It proves, That the Revenue has been Encreased, by *lowering the former High-Duty*; and that to a Sum so considerable as above FIVE MILLIONS AND A HALF STERLING: That the East-India Company; computing their Profit on Teas at one Shilling

on the Pound; has gained above TWO MILLIONS SIX HUNDRED THOUSAND POUNDS STERLING thereby; and That the Nation in general has been proportionable Gainers, by the Extra Encrease of its Navigation.

5. It proves, That the Price of Teas has fallen so very considerably, In Consequence of the Government's adopting this Plan, That the Custom of Tea Drinking has, since, become universal throughout the kingdom, amongst all Degrees of People; That the Smuggling of this Article is greatly abated; and That a surprizing Encrease in the Consumption of Sugars has ensued, to the great Improvement of the Sugar Colonies, as well as the great Encrease of the Revenue, by the Duty on Sugars: and all these Consequences have naturally attended an Encrease in the Consumption of Teas; chiefly and principally owing to the *lowering the High Duty* thereon.

It must be observed, however, That the Total Encrease in the Revenue arising upon Tea; from Midsummer 1745 to New-Christmas 1763, as above represented; is not wholly to be ascribed to the reducing the Excise Duty upon Tea at that Period; The last Subsidies of 1748 and 1459, which have taken place since, contributing about SIX HUNDRED THOUSAND POUNDS to the above Encrease; And this Sum has been gained by the Revenue, in the additional Encrease of the Consumption of Sugars, which has gone hand in hand with that of Teas.—— But to the Produce of the two last Subsidies, the Proposer of the Plan, for Reducing the Excise upon Teas in 1745, lays no sort of Claim.

LONDON, March 1763.

STEPH. THEOD. JANSSEN.